1920

AN AID TO THE CITIZEN IN INDIANA

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INTRODUCTION.

With the presidential vote already secured to women in Indiana and with every prospect that full suffrage will follow it in a few months it becomes necessary for women to prepare themselves to be voters. Women who say they will have nothing to do with politics are mistaken as well as foolish. Politics, in some form, is connected with every part of every day life. A woman talks nonsense when she says that she attends to her house and lets politics alone. Politics will not let her alone; it interferes with everything she does, everything she eats, wears or uses, and with the education and upbringing of her children.

The woman who will not register, will not vote, will not take an interest in politics, is not out of politics but is helping to make politics bad. She is turning over her share of responsibility to those who would use politics for evil or ignorant purposes.

This book is written for those who wish to do their part to make politics good in Indiana, and who realize that good intentions are not sufficient, that they must have knowledge. Here are set forth some of the fundamental facts of politics and government as they affect Indiana, and here are suggested such discussions as will make clear the personal application of these facts. It is the purpose of this book to help those who want to go into politics in the best sense, and who are now asking themselves what they can do with their vote.

—H. C. B.

531 Electoral Vote
Indiana 15
" 13 Congressional Districts

CHAPTER I.

Political Parties.

This country is governed by parties. A nation of a hundred million people, of territory so extensive as to offer great variety of climate and occupation, is an enormous machine to run. So far as our experience goes the party method is the one most nearly calculated to express the combined will of these many people of different interests.

The dominant parties recognized by the national government, and in matters of organization and practice regulated by law, have come into being as the state of the times demanded. A study of their platforms from one campaign to another will show one or two fixed principles by which the party abides, and declarations in support of doctrines or specific plans which have attained sufficient importance in the public mind to require legislation. Denunciation of the policy of an opposing party has sometimes a place in the programme.

The Democratic Party, although organized in its present form in 1832, was the legitimate successor to the Anti-Federalists and Democrat-Republicans of the early days of the nation. Through changes of name and varying combinations of factions they have supported the principle of limitation of power of the Federal government, and declared for a strong state sovreignty. The party advocates a tariff for revenue only.

The Republicans, who were the Whigs and National Republicans of post-Revolutionary times, have always demanded a strong central government. The present party was formed in 1856 to support the beliefs of the Free-Soilers, who were joined by the anti-slavery Whigs and some Abolitionists. Since 1880 the doctrine of a protective tariff has had a prominent place in the Republican programme.

The Prohibitionist Party was formed to advance a single ideal. Following the lead of many state organizations, a national convention was held in 1872 and a national party formed. Although the platforms have recognized a number of principles, there has always been a strong movement inside the party toward concentration on the prohibition question. The recent amendment to the Constitution has accomplished the purpose for which the party was formed.

The Socialist Party has been known under its present name since 1899. The movement began in this country about the middle of the 19th century with the formation of clubs of communists. These affiliated with the various labor parties, and so combined were known as Social Democrats and the Socialist Labor Party. Their programme calls for many political and economic changes, and a revision of the Constitution.

In national, and to some extent in state affairs adherence to a recognized political party is the only way by which a voter makes himself felt. By casting his vote for the party whose tenets most nearly match his own he adds his strength to the force carrying those doctrines to a successful issue, or contributes to the show of strength of the defeated party.

In municipal affairs the case is quite different. The party's value is chiefly that of machinery. Local administration is not a question of politics but of simple housekeeping, (simple, not easy), and policies and candidates should be considered on their own merits.

Organization of Political Parties in Indiana.

In Indiana a declaration of association with a recognized party is required from a voter wishing to take part in the primary elections of that party.

"The nomination of party candidates, the creation and operation of party machinery, and the character and composition of the party agencies and organizations of all political parties in the State which cast 10 per cent or more of the votes given for secretary of state at the preceding general election are prescribed and controlled by the corrupt practices act of 1911, by the direct primary law of 1915, by party precedents, and by the rules and regulations promulgated by the respective State central committees. The organization of the minor parties is governed exclusively by party precedent and by the rules adopted and promulgated from time to time by the party managers. The Democratic and Republican parties are required to nominate all their candidates for public office either at the direct primary, which is held on the first Tuesday after the first Monday in May, or at the State party convention, which is held in the city of Indianapolis, within 150 days after the primary. If there

is no contest for any office in any county, township, city, district or circuit, no primary is held."—1918 Year Book.

Committees.

The management of party affairs is in the hands of committees. The Democratic and Republican parties are required to have a state central committee, a congressional district committee, a county committee, a city committee and a precinct committee. The state central committee is composed of the district chairmen of the thirteen congressional districts, and is the highest party authority in the state. The congressional district committee is composed of the county chairmen of the several counties in the district, except in the Seventh District, which consists of Marion County only, in which the county committee serves also as the district committee and elects a district chairman to represent the district in the congressional district committee. The county committee is composed of the precinct committeemen elected from the precincts of the county at the primaries on the first Tuesday after the first Monday in May.

The precinct committee is composed of the precinct committeemen and such other persons as may be appointed by the county chairman. At 1 o'clock p. m., on the Saturday following their election, the precinct committeemen of each party meet at some place at the county seat fixed by the retiring chairman and organize the county committee by electing a chairman, secretary, treasurer and such other officers and sub-committees as may be deemed necessary to perfect their organization. The city committee is composed of the members of the county committee representing precincts situated wholly or in part in the city. The time, place and manner of organizing is prescribed by the state central committee but must take place not later than sixty days before the city primaries and is uniform throughout the state.

The state central committee has authority to issue rules and regulations to provide for all matters of party government not otherwise controlled by law; to remove any officer or committeeman who refuses to obey or comply with such rules and regulations; to issue rules and regulations providing for the organization of the state central committee,

the congressional district committees and the city committees, but the organization must take place within 30 days after the primaries, except city committees as above stated.

Nominations.

The method of nominating a candidate for the presidency of the United States will illustrate the way of making nominations in general.

1. By long-established practice, each state is entitled to twice as many delegates to the national convention as the number of its presidential electors. Each delegate has an alternate who acts in the delegate's absence.

2. Though the popular election does not take place until November, the national conventions are held in June or July, This is to allow plenty of time for the campaign.

3. To allow the machinery time to grind out the delegates, the national committee having early determined upon the time and place for holding the convention, issues its "call" some months in advance. This is published in the newspapers throughout the country.

4. The next step in the process is the issuance of calls by the several state committees. These are issued as soon a practicable after that of the national committee and usually appoint the state convention for the latter part of May.

5. In some states all of the delegates to the national convention are chosen by the state convention, but the number of states is increasing in which each congressional district chooses its own two delegates, leaving only the four "delegates-at-large" to be chosen by the state convention. In these states, the next step is the call of the district committee for a convention slightly ante-dating that of the state.

6. As soon as practicable after the district call is announced, the several county committees issue their call for county conventions to be held shortly before the district convention.

7. Lastly, the local committees issue their calls, usually giving a week or ten days' notice. The local convention is called a caucus.

8. Then in succession the local, county, district, state and national conventions are held. The caucuses send repre-

sentatives to the county conventions, which in turn choose the deputations to the district and state conventions, and these finally select the delegates to the national convention. An equal number of alternates are chosen at the same time. The state convention also names the presidential electors to be supported by the party.

Thus the national convention is the first to be called and the last to be held, while the caucuses are the last to be called and the first to be held. The caucuses are the real battling-place for the people. The vice-president is nominated in a similar manner.

After adopting a platform the convention adjourns.

State Nominations.

In Indiana all state officials to be voted for in a general election must be nominated in state convention except governor and state senator. In the case of these every voter is given an opportunity to express his choice for the nomination, for the law provides that any person who, sixty days before the primary, files with the Secretary of State a written request that his name be printed on the primary ballot, may have this done, providing the request is accompanied by a petition signed by at least 500 voters of the state.

County and city officials are nominated in party primaries according to the law of 1915. The law specifically says that all political parties which cast at least ten per cent of the total vote at the general election immediately preceding the time of holding the primary shall so nominate officials.

The Campaign.

Each political party carries on certain activities in connection with a general election through its party organization. A complete poll is taken of the voters qualified to vote at the next ensuing election, and it is considered the duty of every person to whom application is made for information in regard to such poll to furnish facts if possible with regard to the names, residence and other qualifications of persons in his district.

In order to carry on the campaign, which includes party parades, and mass meetings addressed by party leaders and

candidates, political parties must have funds and the law definitely states that this money may not be solicited from private corporations nor candidates for office; it must be received through the treasurer of the party, who keeps an exact account of its receipt and disbursement. The law further stipulates what is "legitimate expenditure." Every candidate, as well as the party, must issue a sworn itemized statement of his expenditures within thirty days after his election.

In some European countries voters are fined if they do not appear to cast their votes on election day. As yet the United States has not resorted to such measures but the various political parties take great pains when an important issue is at stake, or the election is close, to see that all voters get out to vote.

Political Party Platforms of 1916.

Democratic.

Tariff for revenue only; a non-partisan tariff commission.

The suppression of all alliances and combinations conspiring to injure the United States and advance the interests of foreign countries.

The maintenance of an army adequate to the requirements of order, of safety and of the protection of the nation's rights; development of seacoast defenses; the maintenance of an adequate reserve of citizens trained to arms; continuous development of the navy.

Assisting the world in securing settled peace and justice, respect for the fundamental rights of the smaller states and the complete security of the highway of the seas.

Close relations of amity with other American republics.

Maintenance of the Monroe Doctrine.

Intervention in Mexico but only as a last resort.

Development of American Merchant Marine.

Conservation of national resources.

Promotion of agriculture through farm marketing, farm credits, and the establishment of grades and standards.

A living wage for all employes.

A working day of not to exceed eight hours.

Adoption of safety appliances.

Compensation for industrial accidents.

Equitable retirement law for civil service employes.

Protection of the rights of American citizens at home and abroad.

Peace among the warring nations of Europe.

Development of waterways.

Alteration of senate rules to permit transaction of business.

Economy and the use of the budget system in national expenditures.

Enforcement of civil service laws.

Self-government and ultimate independence for the Philippines.

Prison reform.

Generous pensions for soldiers.

Granting of woman suffrage by States.

Republican.

Protection of every American at home and abroad.

Firm and courageous foreign policy.

Restoration of order in Mexico.

Reaffirmation of the Monroe Doctrine.

Closer relations with Latin America.

Retention of the Philippines.

Coherent and continuous policy of national defense with an adequate army and strong navy.

Tariff for the protection of American industries and labor.

Regulation and supervision of corporations.

An effective system of rural credits.

Extension of rural free delivery.

Subsidies for merchant marine.

Federal control of transportation business.

Establishment of budget system for government expenditures.

Conservation of natural resources.

Vocational education and workmen's compensation laws.

Granting of women suffrage by each state.

Prohibitionist.

Abolition of liquor traffic.

Equal suffrage for women by amendments to state and federal constitutions.

Peace and friendliness with all nations; promotion of a world court for the settlement of national differences.

Disarmament of nations.

Opposition to universal military training.

Promotion of reciprocity in trade; formation of a commission of trade specialists.

Creation of merchant marine.

Independence of Philippines when peopele are fit for it.

Extension of civil service.

Uniform marriage and divorce laws.

Arbitration between capital and labor.

Budget system in national expenditures.

Single presidential term of six years.

Initiative, referendum and recall.

Promotion of agriculture; abolition of boards of trade, chambers of commerce and stock exchanges.

Socialist.

Opposition to war.

Unrestricted and equal suffrage for men and women.

Initiative, referendum, recall and proportional representation nationally as well as locally.

Abolition of United States Senate and veto power of president.

Revision of Constitution of United States.

Abolition of power of Supreme Court to pass upon acts of Congress.

Curbing of injunctions.

Election of federeal judges for short terms.

Freedom of speech, press and assemblage.

Increase of income, corporation and inheritance taxes.

Further measures for general education.

Abolition of monopoly ownership of patents.

Collective ownership of public utilities.

Acquisitions by municipalities and states of grain elevators, stockyards, storage warehouses, and other distributing

agencies.

Collective ownership of land.

Issue of money by government only; government to lend money at nominal rates to municipalities and counties to take over public utilities.

Conservation of human resources by

Shortening the workday.

Freedom of political and economic organization.

Giving rest period of at least a day and a half in each week.

Securing more effective inspection of workshops.

Forbidding child labor.

Establishing minimum wage scales.

Establishing system of old age pensions and insurance by the state and by employers of workers without cost to the latter.

Establishing mothers' pensions.

Suggestions.

1. Read carefully each platform and notice appeals of support to different classes.
2. Note:
   a. The planks carrying the vital issues of the campaign.
   b. Identical or similar items.
   c. Planks which really mean nothing or are not sufficiently definite to bind the party to anything.
   d. Planks bearing directly on the affairs of the nation and making for progress.
   e. Planks whose fulfillment has been achieved by the successful party.

CHAPTER II.

The National Government.

Most of us live under at least four different governmental organizations; the federal government, the state government, the county government and the township or city government.

The County is merely a unit created in the state for administrative convenience, as is the township in the county.

The City occupies a twofold position in the state of which it is a part. It is an agent for carrying out certain state laws and policies, and it undertakes to perform numerous services which are of interest to the people of the locality alone, and which do not concern the people of the state as a whole. The city has a charter granted to it by the state, which gives it the character of a public corporation, or is governed by state laws applying generally to cities of different classes. The charter or law enumerates in detail the powers which it may exercise, hence the city is legally at the mercy of the state legislature. Cities in Indiana have no charter. They are all governed by the law of 1905 and subsequent amendments.

The States of the United States are not creations of the national government; they are constituent members of the union. Each state determines its own form of government and decides for itself what activities it will undertake except as the federal constitution prohibits them from passing laws on certain subjects which it was clearly unwise to leave to state regulation, e. g., making treaties with foreign countries, coining money, etc. (Sec. 10, Art. I, U. S. Constitution).

The powers of the national government are definitely set forth in the constitution, hence every other form of activity belongs in the domain of the states. They are so varied and extensive that it is almost impossible to enumerate them, but the following are some of the state's powers: the regulation of the ownership, use and disposition of property; the conduct of business and industry; the making and enforcing of contracts; the conduct of religious worship; education; marriage, divorce and the domestic relations generally; suffrage and elections; and the making and enforcement of

criminal laws.

Departments of Federal Government.

In our country and to a greater or less extent in all free countries, the central government has three great functions or powers with regard to law. These powers are vested in three distinct departments, namely the legislative, executive and judicial departments.

A. Legislative Department.

The law-making department, known as **Congress**, is composed of the Senate and House of Representatives, and meets annually at the Capitol in Washington, D. C., on the first Monday in December. The "Long Session" occurs in odd numbered years and lasts until all business on hand is transacted. The "Short Session" lasts only until March 4th at which time the term of representatives expires. These two regular sessions and as many extra sessions as the president sees fit to call within the two years are known as a congress. Thus we speak of the sixty-sixth Congress, meaning the sixty-sixth two years of our constitutional existence.

The House of Representatives consists of four hundred thirty-five members at the present time. Every ten years after each census Congress distributes the representatives among the several states. In 1910 it was one for every 211.877 people. Each state, however small, has at least one representative. The state is divided by its legislatioure into congressional districts equal in number to the representatives to which it is entitled, and the voters of each district elect one representative. Sometimes when a state has its representation increased after a new census, the old congressional districts are left for a time undisturbed and the added representatives are elected "at large" while the others are chosen by districts as before.

Representatives are elected for two years. A Representative must be twenty-five years old, he must have been seven years a citizen of the United States and an inhabitant of the state in which he is chosen. A Representative's salary is $7,500 a year.

The Speaker, chosen by the House, presides over its sessions. He has also the power of appointing the committees by whom legislation is largely shaped in this country, hence he is a very powerful person, not, as in England, an impartial presiding officer.

All revenue bills originate in the House and it has the sole power of impeachment. The function of ordinary lawmaking it shares with the Senate. That subject will be discussed later.

The United States Senate is composed of ninety-six members, two from each state, elected directly by the voters since 1913, at which time the 17th amendment became a law. A Senator must be thirty years old, he must have been for nine years a citizen of the United States and an inhabitant of the state from which he is chosen. His term of office is six years and his salary $7,500.

To secure for the Senate at all times a large proportion of experienced members, its members were divided in the first Congress into three classes. The term of the first group expired at the end of two, the term of the second at the end of four, and the term of the third group at the end of six years.

The presiding officer in the Senate is the Vice-President. He has a vote only in case of a tie.

How Laws Are Made.

A bill is a proposed law. At the time set in the daily order of business for introducing bills, a bill is sent, endorsed with the name of the introducer, to the presiding officer's desk, where the fact of presentation is entered on the journal and the bill is given a number, (private bills are sent to the clerk instead of the speaker) thus S. 1, if preseneted in the Senate, and H. R. 1, if presented in the lower house.

Since thousands of bills are introduced in every session, they are not considered by either house as a whole but referred to Committees which deal with particular legislation.

The committee to which a bill is referred may pursue one of the following courses: (1) It may report the bill back to the house with a recommendation that it be passed. (2) it may amend the bill and recommend that it be passed as amended. (3) It may substitute a new bill in place of the original one. (4) It may report the bill with the recommendation that it do not pass. (5) It may take no action at all,

or kill the bill in committee. Obviously many bills suffer the last fate.

Important bills are frequently discussed in committee meetings, to which interested parties are invited to argue for and against the measure.

When a bill has been reported out of committee it is then acted upon, first in the house in which it originated, and then in the other branch of Congress. If it is amended in the second house it must be returned to the first for reconsideration.

The president must sign a measure within ten days after he receives it or it becomes law without his signature. If he does not approve the measure he returns it with his objections, and Congress may then pass it over his veto by a two-thirds vote, if it sees fit.

Unless the supreme court declares the bill unconstitutional it is law when it has passed both houses of Congress by a majority vote and received the President's signature.

Amendments.

An amendment to the constitution differs from the ordinary bill in that it must be passed by a majority of two-thirds in both houses of Congress and then ratified by the legislature of three-fourths of the states. It has been amended eighteen times, and one is now pending.

B. Executive Department.

The law-enforcing power is vested in the **President** of the United States who must be thirty-five years old, a native born citizen of the United States and fourteen years a resident within this country. He is elected for four years by presidential electors in the electoral college and is eligible for re-election. His salary is $75,000.

The **presidential election** proceeds as follows: On the first Tuesday after the first Monday in November the voters cast their ballots for one of the candidates for President and Vice-President. The names of these candidates do not appear on the ballot, however, but are represented by names of a number of men, called presidential electors, who have been previous selected by the political parties to cast the final vote for these candidates. The candidate who in this way receives the greatest number of votes of the people of the state is then said to have "carried" the state, and he will receive the total electoral vote of the state.

Each state is entitled to as many electors, each casting one electoral vote, as it has senators and representatives in the National Congress (fifteen in Indiana), and the electors merely register the voice of the party electing them.

On the second Monday in January the electors meet in their respective state capitols and cast their ballots for President and Vice President. These ballots of the state electors are sent to Washington and are counted on the second Wednesday of February and the President of the Senate formally declares the successful candidates elected, although the people's choice has been known since November.

The President has the following powers:

a. He is Commander-in-Chief of the army and navy.
b. He makes treaties with foreign nations subject to the consent of the Senate.
c. He appoints, with the consent of the Senate, ambassadors and ministers to foreign countries and their aides, and Justices and Judges of the Federal Courts.
d. He has power over legislation by virtue of his exercise of the veto as shown above. (Only ruler of democratic country who exercises such power.)
e. He appoints with the consent of the Senate his cabinet, consisting of the administrative heads of the ten chief departments of the government as follows:

1. **Secretary of State**, who is responsible for all official negotiations with foreign governments and is the medium of communication between the President and Governors of States.
2. **Secretary of Treasury**, who administers the revenue, currency and national banking laws.
3. **Secretary of War**, who is responsible for the maintenance of the army and has charge of national defense and river and harbor improvements.
4. **Secretary of Navy** (1798) who has charge of the navy and the equipment of its yards and docks.
5. **Secretary of Interior** (1849) who has charge of pub-

lic lands and the Indians, and grants pensions and patents.

6. **Secretary of Agriculture** (1889) who encourages agriculture by the distribution of knowledge and seeds. He has charge of the Weather Bureau, the Forestry Service and of the animal and plant industry.

7. **Secretary of Commerce** (1903) who aids and develops commercial interests, the mines of the country and transportation, and takes the census every ten years.

8. **Secretary of Labor** (1913) who protects the wage earner and has charge of the Bureau of Immigration and the Children's Bureau.

9. **Postmaster-General** who governs the United States Post Office and the transportation of mails.

10. **Attorney-General** (1870) who acts as lawyer for the National Government and is the President's legal advisor.

The President also appoints, with the consent of the Senate, members of commissions as follows:

Civil Service
Inter-State Commerce
Federal Trade Board
Federal Reserve Board
Federal Farm Loan Board
Shipping Board
Tariff Board

C. Judicial Department.

The Constitution provides that the law-interpreting power of the United States shall be vested in "one Supreme Court and such inferior courts as the Congress may from time to time establish." The judges are appointed by the President with the approval of the Senate, and hold office during good behavior.

There are three kinds of federal courts, as follows:

1. **United States District Courts.** There is one in each state and the larger ones have two or more. Cases of civil or criminal law coming under the authority of the United States are tried in these Courts. The salary of District Judges is $6000.

2. **Circuit Courts of Appeal.** There are nine such courts and they review appeals from the District Courts. Circuit Judges receive $7000.

3. **Supreme Court.** This court sits in the Capitol in Washington, and is composed of a chief justice and eight associate judges. It gives the final opinion in cases appealed from Circuit Courts and the highest state courts on questions of constitutional law. The salary of the chief justice is $15,000 and of each of the associate, $14,500.

In addition to the three classes of United States courts the following tribunals of a special or temporary character have been created:

a. Court of Claims, created in 1855 to pass upon claims against the government.
b. United States Court in China in 1906 to exercise jurisdiction in certain cases previously exercised by consuls.
c. United States Court of Customs Appeals (1909) to hear appeals from the board of general appraisers in cases involving the construction of the law respecting the classification of imported articles and the rate of duty imposed thereon.
d. Commerce Court in 1910 to decide appeals from the orders of the Interstate Commerce Commission.

Questions.

1. How many representatives has this state in Congress? How many Senators?
2. In which congressional district do you live?
3. When was your representative elected? What is his name?
4. Who are your senators? How many terms have they served?
5. What is the number of the present Congress?
6. When did it begin?
7. How many members has it?
8. Who is the speaker?
9. What political party is in the majority?
10. What are the qualifications of Congressmen?
11. Could one who is not a voter be elected to Congress? Are women eligible?
12. State three ways in which a bill may become law. Five ways in which it may fail.
13. How many members in each house does it take for the first passage of a bill? How many after the president's veto?
14. Who declares war?
15. To how many presidential electors is this state entitled? How many electors are there altogether?
16. How is the president elected?

17. In case of the death of the President, who would succeed him?
18. Give examples of the kinds of cases tried in the Federal Courts.
19. To whom would you apply for a pension? For information concerning a pestilence among cattle? Concerning liberty bonds?
20. What important questions were before the last Congress? (Congressional Record).
21. How can the constitution be changed? Compare the ease of changing it with the ease of changing the constitution of your state.
22. Here are some of the questions which you would be called upon to answer if you were applying for admission to citizenship. How many can you answer satisfactorily?
    (a) What is an anarchist? Can an anarchist become a citizen?
    (b) What is a polygamist?
    (c) What is our form of government called?
    (d) By whom is the U. S. governed?
    (e) What is the constitution of the United States?
    (f) What reasons have you to know that there is a United States government?
23. Who are the Cabinet Officers?
24. Who are the Justices of the Supreme Court?

CHAPTER III.

The State.

The constitution of the state is the supreme law within its borders. It cannot interfere with any power granted to the Federal Government nor can the Federal Government act in any matter which has been left to the regulation of the state.

Indiana became a state in 1816. The constitution of 1816 was in force until 1851 when a new one was adopted, which is the supreme law of the state at this time.

The Constitution provides for three departments of government similar to the departments in the federal government; legislative, executive and judicial.

Legislative Department.

The legislative power is vested in a General Assembly which consists of a Senate and House of Representatives. The sessions are held biennially at the capital of the state on the Thursday after the first Monday in January of odd-numbered years, and continue not more than sixty-one days. A special session may not last more than forty days. Two-thirds of each house constitutes a quorum to do business. The Lieutenant-Governor is ex-officio President of the Senate and the Speaker chosen from the membership of the House presides over that body.

All the representatives and half of the senators are elected at each general election for state officers on the first Tuesday after the first Monday in November in the even numbered years.

The Senate is composed of fifty members elected for a term of four years. A senator must be twenty-five years old, a citizen of the United States, for two years an inhabitant of the state and one year an inhabitant of the county or district from which he is chosen. He receives a compensation of six dollars a day while the legislature is in session, (61 days) and twenty cents for every mile necessarily traveled in going to and from the session.

The House of Representatives is composed of one hundred members elected for a term of two years. A representative has the same qualifications as a senator except that he need

be only twenty-one years of age. His compensation is the same as that of a senator.

The purpose of the General Assembly is to make the laws of the state. Bills may originate in either house but may be amended or rejected in the other except that bills for raising revenue shall originate in the House of Representatives. The procedure is similar to the procedure in the national legislature.

Executive Department.

The executive power is vested in a **Governor** who is elected for a term of four years. He is not eligible more than four years in any period of eight years. He must be thirty years old, five years a citizen of the United States and a resident of the State of Indiana during the five years preceding his election. The official term begins on the second Monday of January. Salary $8,000.

The Governor is Commander-in-Chief of the military and naval forces of the state and may call out such forces to execute the laws or to suppress insurrection or to repel invasion.

Every bill which has passed the Assembly must be presented to the Governor for his signature. If he disapproves of the bill he must return it within three days to the house in which it originated with his objections, otherwise it becomes law. The Assembly may pass the bill over his veto by a majority vote in both houses.

The Governor has the power to grant reprieves and pardons and fill all vacancies in state offices until an election may take place.

Elected Officials.

The Governor, unlike the president of the United States, does not have the power to appoint officers of the administrative department. The following officers are elected by the voters at the time the governor is elected.

Lieutenant-Governor, who serves as president of the Senate.

Secretary of State, who makes and keeps public records.

Auditor—Public accountant and bookkeeper.

Treasurer—Keeper of the State's money.

Attorney-General, whose duty is to prosecute and defend all suits instituted by or against the State; to appear in all suits where the interests of the people of the State are involved; to advise state officers, especially the Secretary of State and Auditor of State on questions relating to the proper conduct of their offices.

Superintendent of Public Instruction, who administers the system of public schools.

Clerk of Supreme and Appellate Courts, whose work has entirely to do with these two courts.

Judge of Supreme Court.

Officials Appointed by Governor.

The following officials are appointed by the Governor:

Adjutant General, who is the military arm of the executive.

Fire Marshall, whose primary duty is to assist in bringing about a reduction of waste by fire.

State Examiner, who is president of the Board of Accounts and of the Board for licensing certified accountants.

Inheritance Tax Investigator.

Other Appointees.

Following are statutory officers appointed in various ways:

Law Librarian, appointed by Supreme Court.

State Chemist. This office is filled ex-officio by the professor of Agricultural-Chemistry at Purdue University.

State Librarian, appointed by the Library Board.

Permanent Boards.

The following boards are appointed by the Governor:

Board of State Charities, has supervision over the entire system of public charities and corrections, including Schools for Feeble-Minded, Hospitals for treatment of Tuberculosis, State Prison and State Reformatories.

Board of Health, has supervision of the life and healt of the citizens.

Board of Education, consisting of thirteen members, th superintendent of public instruction, presidents o Indiana and Purdue Universities and the State Norm School; the superintendent of schools of the three citie having the largest enumeration of school children, being Indianapolis, Evansville and Fort Waynee; three citizens actively engaged in educational work in the state, at leas one of whom is a county superintendent of schools; and thre persons actively interested in and of known sympathy wit vocational education, one of whom is a representative o employers and one of employees. This board has supervisio of the public school system and of all public educationa work.

Board of Tax Commissioners, consisting of two ex-offici members and three appointive members. It is the duty this commission, or some member of it, to visit each coun in the State at least once a year to confer with the loc taxing officers and to advise with them as to their dutie These officers consist of county and township assessor county auditors and county treasurers. County Boards o Review are also visited and advised as to matters they hav under consideration. These things are done to secur equalization of assessments.

Public Service Commission, consisting of five members was originally the Railroad Commission, therefore it ha much to do with regulating and fixing railroad freight an passenger rates, controlling car distribution, train servic and accommodations. The Public Service Act of 1913 gav the commission jurisdiction over all so-called public utilities that is light, power, water, heating, gas and warehouse com panies. Within this field the commission is empowered t prescribe rates, standards of service and to fix a standard fo rate making. The commission also has authority over th issue of all stocks and bonds issued by any public utility. Th act prescribes a method by which an appeal may be take to the courts over any order of the commission.

Industrial Board. This board has in charge the inspectio of industrial conditions in the state, industrial accident

condition of buildings, factories and workshops. and the administration of the Workingmen's Compensation Act. Inspectors are appointed for this work.

Board of Accounts, whose head is the state examiner.

Board of Certified Accountants, whose duty is to examine and license certified accountants.

Highway Commission, which appoints state highway engineer and director.

Board of Pardons, consists of three members and is required to meet at least four times each year. It is the duty of this board to investigate carefully the merits of all petitions and report to the Governor in writing its conclusions and recommendations which reports must be signed by at least to members.

Board of Public Printing. All printing and stationery authorized by law to be paid out of the state printing fund are secured through this board. The clerk of this board is ex-officio clerk of election commissioners.

Park Commission. This commission was created in 1916 by a sub-committee of the Indiana Historical Commission. As yet the legal standing has not been defined other than by an appropriation made by the legislature of 1917 in the sum of $20,000. Its chief activity was work done at Turkey Run.

Historical Commission, created by the legislature in an act providing for the editing and publishing of historical material, and for an historical and educational celebration of the state's centennial year.

Public Library Commission.

Board of Public Buildings and Property. Its duty is to take care of the state house and grounds.

Conservation Commission consists of four members appointed by the Governor, who serve without compensation but receive traveling and other necessary expenses when engaged upon official duties. This Commission has power to investigate, compile and disseminate information and make recommendations concerning the natural resources of the state and their conservation. The Commission is to appoint a director chosen solely for fitness, who shall be the

7. What other administrative officers are provided by the constitution? How do they obtain their positions? Is the work of each policy determining? Who are they?
8. How many sets of courts has the state? What is the highest one?
9. What business carried on by the state affects you personally?

Indiana Needs.

The Children's Welfare Exhibit held in Indianapolis in 1916 decided that the following were needed in the state:

Sanitary school buildings.
Open-air schools in every city in the state.
State-wide medical inspection and health supervision of school children.
Vocational training in all schools.
Skilled health officers devoting their entire time to public health.
Adequate appropriations for public health education.
A law to compel tubercular testing of all dairy cattle.
A just Workman's Compensation Law.
Education and Co-operation in fire prevention.
A public library in every community.
A study of occupational diseases.
Hospitals for the care and prevention of tuberculosis.
Better methods of sewage disposal.
Pasteurization of public milk supplies.
Homes, not mere housing.
"Safety First," safety at least.
Prevention rather than cure.

How many of these things have been realized?

CHAPTER IV.

County and Township.

All states are divided for political and local government into civil divisions, called counties. The one exception to this is in Louisana, where the correspondng divisions are called parishes. The number of counties in each state varies from three in Delaware to two hundred and forty-four in Texas. The number in Indiana is ninety-two. In the U. S. they vary in size from Bristol County, Rhode Island, with twenty-five square miles, to the county of Custer, Montana, with over twenty thousand square miles. The smallest county in Indiana is Ohio and the largest is Allen. Even in counties which contain cities, the rural population as a rule outnumbers the urban.

The county is a civil and political division of the state, created largely for purposes connected with the administration of the state government. It has certain powers and functions as a unit of local government, but it exists primarily as an agent of the state. A county has power to sue and be sued; to make contracts; to issue orders for the care and protection of its inhabitants; to raise money by taxation for state and county purposes or by borrowing.

Counties are created by legislative enactment, are completely under the control of the state legislature and can be changed by the same authority. The legislature can interfere in county affairs at any time. It can create or abolish county offices, impose additional duties upon county officials, and even exercise control over county property and revenues. It can regulate even the minutest details of county administration.

The most important functions performed by the county may be divided into seven classes: (1) conduct of business; (2) public works; (3) public utilities; (4) protection of persons and property; (5) care of unfortunates; (6) education; (7) administration of justice.

Election Unit.

The county in all states is an important district for election purposes. It is the unit for canvassing the election re-

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turns for state officers, the unit for the organization of st
political parties and the direction of campaigns, and is f
quently the district for the election of representatives
the state legislature. It is in all states also a district f
the administration of justice.

In 1899 Indiana made important changes in its coun
system, so as to separate the power of making appropri
tions from the spending authority. This law establishe
in each county a county council as it now exists. This re
placed the old county board and was given power to vote all
appropriations for county expenses on a budget; to borrow
money and issue bonds; and to purchase or sell real estate.
The former county board remains as the executive author-
ity for carrying out the policy determined by the appro
priations.

Every county has a county seat, where the courts are held
and most of the county officers have their offices. Here
court-house and jail are provided, and usually other county
establishments, such as the poorhouse, are located in the
neighborhood. The legislature determines the county seat
and may change it.

Elections.

County officers are elected at the same time as state of-
ficers, on the first Tuesday after the first Monday in No-
vember of even-numbered years. Since 1915 candidates for
office have been nominated by primary elections. In the
smaller counties they were nominated by caucuses or mass
meetings and conventions of delegates from 1907 to 1915.

The most important group of officers in the county is the
Board of Commissioners. They are three in number and
they meet regularly the first Monday of every month at the
county seat to transact the business of the county. They
may meet much oftener if needed.

County Officials.

The County Commissioners look after all county buildings,
are responsible for the building and repair of bridges and
roads, appoint various county officials, grant franchises for

the operation of public utilities, regulate construction of tele-
phone and telegraph lines along public highways and in fact
have powers and duties more numerous than any other group
of local officials.

The County Council. Each county is divided by the Com-
missioners into four districts which are not subject to
change oftener than once in six years. One councilman is
elected by the voters of each of the four districts and three
councilmen-at-large are elected by the voters of the whole
county for terms of four years. All tax levies, appropria-
tions and bond issues are authorized by ordinances, prepared
by the county auditor and passed by a majority vote of the
council.

The Auditor is elected for four years and is ineligible to
serve more than eight years in any period of twelve years.
His duties are to prepare tax duplicates of the county, keep
record of transfers of real estate, prepare assessment sheets
for township assessors, act as clerk of the board of county
commissioners and county council, issue all warrants for
payment of money by the treasurer, vote in election of county
superintendent of schools in case of a tie and act generally
as bookkeeper and finance officer for the county.

The County Recorder preserves records such as deeds,
mortgages, leases, certificates, incorporations, local maps,
etc.

The Clerk of the Circuit Court. The duties of this official
are to attend the session of the Circuit Court and keep all its
records and enter all orders, decrees and judgments; to keep
an execution docket; to issue marriage, fishing and hunting
licenses; to issue executions; to serve as a member of the
board of election commissioners and to tabulate and preserve
all election returns. The clerk also serves as clerk of the
superior and criminal courts.

The Treasurer is elected for a term of two years and is not
eligible more than four years out of any period of six years.
His duties are to collect all taxes due the State, county or
township, city or incorporated town within the county, to
pay out on warrants all money due from the county.

The Sheriff is elected for two years. His duty is to pre-
serve peace and good order in the county.

The Coroner's duty is to investigate cases of sudden dea and hold inquests to determine guilt.

The Surveyor is elected for two years. He establish boundary lines, surveys and lays out ditches, drains, a highways, and frequently has charge of construction and r pair of highways and bridges.

The Highway Superintendent looks after the free gra or macadam highways in counties and maintains such ro

The Assessor serves as president of the county board review; helps and instructs township assessors and carr out the orders of the State Board of Tax Commissioners.

The County Inspector of Weights and Measures is a pointed by the Commissioners to protect buyers and seller

The Health Commissioner is elected by board of coun commissioners.

The County Physician attends prisoners in jails, pauper in the county poor asylum, and the poor of the county g erally.

The County Superintendent of Schools, chosen by th township trustees.

Public Schools.

The county is the unit for the administration of schoo All public schools outside of cities and towns are supervis by the county superintendent. Some of his duties may summarized as follows: visitation of schools; issuing of censes to teach to those who are successful in examinatio conducted by him; assisting in teachers' institutes; assis ing in the appointment of county truant officers and pres ing over the county board of education.

County Boards.

The following boards are important in county governmen

Registration Board, to superintend registration of voters

Primary Election Commissioners, to prepare and distr bute ballots.

Election Commissioners, to do the same thing for gener elections.

County Canvassing Board, to check through and compa results of elections and return the vote for state officers t

the Secretary of State.

Board of Review, to equalize assessments of property for taxation, and to hear and determine complaints.

Board of Education, which consists of county superintendent, township trustees and chairman of the board of school trustees of each city and incorporated town in the county.

Board of Children's Guardians, consisting of six memebers appointed by the judge of the circuit court for three years, two appointments being made annually. All of the members must be parents, three must be women and all serve without compensation. This board has the care and supervision of neglected and dependent children under the age of 15 years.

County Courts.

Justice is administered in the county through the following courts:

Circuit Courts, having jurisdiction over one or more counties. (See Judicial Department of State Government.)

Superior Courts, ranking with circuit courts as courts of appeal in hearing original cases, and in issuing the usual court orders.

The Township.

The township is a geographical and administrative subdivision of the county. It is a unit of local self-government and at the same time an administrative agent of a higher government, the county, in the same way that the county is an agent of the state government. The townships were originally formed by the county commissioners in each county and are usually six miles square. There are 1016 townships in the state.

Township Trustee. This is a most important official and he is elected for a term of four years beginning January 1st succeeding the election. He is not eligible to serve more than eight years out of any period of twelve years. His duties are to manage elementary and high schools of the township; hire teachers and purchase school supplies; build and maintain school houses; serve as election inspector in his precinct and as overseer of the poor; and to prepare the township budget. He also takes the enumeration of school chil-

dren and old soldiers annually.

An Advisory Board of three members is elected to au thorize all expenditures made by the trustee. Each Sep tember the trustee estimates expenditures for the ensuing year and recommends a tax levy which must be approved by the board.

Township Assessor. It is the duty of this officer to assess all personal property in his township for purposes of taxation between March 1st and May 15th, and to assess all real estate every four years. The expense of this assessing is paid out of the county treasury.

Other township officials are justices of the peace, constables, school directors and road supervisors.

Questions.

1. What is the relation between the county and the state?
2. How are counties formed, who decides on the county seat?
3. What part does size or population play in the organization of counties?
4. How many counties are there in Indiana? How many townships?
5. Explain the functions of each.
6. In what sense are local officers also state officers?
7. How much money was spent in your county last year for the various county needs. (See auditor's report).
8. Name the principal officials in your county and township. What are their duties? What are their salaries? To what party do they belong?
9. How were townships originally formed? What is their chief purpose?

CHAPTER V.

Cities and Towns.

In Indiana any incorporated town having a population of 2,000 or more may become a city if the proposition is approved by the voters at a special election held for that purpose. If the result is favorable, the town is deemed an incorporated city within five days after the filing of the result of the election with the clerk of the circuit court. The board of trustees then divids the city into not less than three wards containing not less than 300 voters each and issues a call for an election of city officers who serve till the first Monday in January following the next regular city election. There are at present 98 cities in Indiana.

Cities Arranged by Classes.

Indiana cities are divided by law into five classes on the following basis:

First Class: Cities having a population of 100,000 or over.
Second Class: Cities having a population of 35,000 to 100,000.
Third Class: Cities having apopulation of 20,000 to 35,000.
Fourth Class: Cities having a population of 10,000 or over and less than 20,000, and having taxable property to the amount of $5,000,000 or over; also all cities having a population of less than 10,000 and having taxable property of not less than $7,500,000.
Fifth Class: Cities having a population of 10,000 or over and less than 20,000, whose taxable property is less than $5,000,000; also all cities having a population of less than 10,000.

Cities of first class	1
Cities of second class	5
Cities of third class	6
Cities of fourth class	11
Cities of fifth class	75
Total	98

Elective Officers.

The elective officers of the city are the mayor, city judge, city clerk, city treasurer and councilmen. These are all nominated at the May primaries and elected at the regular city election for a term of four years. In addition there are a number of appointive officers, boards and commissions which

are peculiar to the cities of the different classes.

The Mayor is the chief executive officer of the city. His duties are to enforce city ordinances; submit recommendations to the council; make all administrative appointments. In cities of the third, fourth and fifth classes, he may have the duties of city judge conferred on him by the council. He possesses a veto power which may be overcome by a two-thirds vote of the council. The Council by a two-thirds vote may remove him from office for failure to do his duty.

The City Judge. There is a city judge in all first and second class cities; in cities of the third and fourth classes the office of city judge may be established by the council; and in cities of the fifth class the mayor acts as city judge. The city judge is head of the city court and is required to hold daily sessions.

Common Council. This body is the legislative power of the city. It holds regular meetings at least once a month and special meetings when necessary. One member of the council is elected from each ward and from two to six members are elected at large. It passes all ordinances, resolutions and orders for the government of the city; fixes the tax levy; makes all appropriations; approves the granting of franchises, and fixes the salaries of many city officers. In cities of the firth class the council may create committees of its own membership to perform executive duties.

The City Clerk acts as clerk of the council, keeps the record of the council's proceedings and all other records and papers, including the ordinance book, and is custodian of the city seal. In cities of the third and fourth classes, the city clerk serves also as clerk of the board of public works, and in cities of the fifth class the office of clerk and treasurer may be held by the same person. If there is no city comptroller, the city clerk performs the duties of comptroller.

City Treasurer. In all cities which are county seats, the county treasurer performs the duty of city treasurer, except that in the fourth class cities which are county seats and which own a municipal water or lighting plant, having from either or both an annual income of $100,000 from private consumers, and in the fifth class cities which are county seats and which own a municipal water or lighting plant, a city treasurer is elected and his salary fixed by the council. The city treasurer has charge of the collection and disbursement of all city money, and is head of the department of assessment and collection of taxes.

Appointive Officers.

The City Comptroller is head of the department of finances and is appointed by the mayor and serves at his pleasure. There is a comptroller in each city of the first and second classes; in cities of the third and fourth classes, the council may either establish or abolish the office of city comptroller; there is no comptroller in fifth class cities. Where there is no comptroller the city clerk performs all the duties of the office.

The City Attorney is head of the department of law and is appointed by the mayor in all cities except those of the fifth class, where he is appointed by the council. The city attorney is the law advisor of the various departments of the city government and draws all ordinances and contracts.

The City Civil Engineer, appointed by the mayor, is subject to the direction of the board of works or the council. He keeps all records of grades, lines of sewers and other surveying and engineering matters. If necessary the engineer may be appointed from without the city.

The City Marshall, appointed by the mayor, has charge of the police force of the city. Cities of the fifth class, not having a board of metropolitan police commissioners, have a marshall.

Bailiff of City Court. This officer serves and executes all orders issued by the court and preserves order. In cities of the first class the bailiff is a policeman who is detailed for such service; in cities of the second, third and fourth classes, the bailiff is appointed by the judge.

Court Matron. In cities of the first and second class there is a court matron, appointed by the board of safety, on recommendation of at least twenty women and five men. She must be at least 33 years of age and it is her duty to investigate the past histories of women and girl offenders and report the facts to the city judge.

Police Matron. In some cities there is a police matron who is appointed by the board of safety, if there is a board, and if not, by the mayor. She must be at least 35 years of age

and recommended by at least twenty women and five men. She is a member of the regular police force; is the jailer in charge of the women's department of the station house and the city jail, and it is her duty to look after the welfare of the women and children who are imprisoned for violations of state laws and city ordinances.

Humane Officer. There is a humane officer in every city, who is appointed as a member of the police force and who receives the same compensation as a policeman and whose duty it is to see that dumb animals are not mistreated or abused.

City Inspector of Weights and Measures. In cities of the first and second class, the board of public safety appoints an inspector of weights and measure, who is a deputy of the State Commissioner of Weights and Measures and who serves during good behavior.

Boards.

The Board of Public Works consists of three members, appointed by the mayor with not more than two of the same party. There is a board of public works in all cities of the first and second classes and such a board may be established by the council in cities of the third and fourth classes. In cities of the third class, where there is no board, the duties are performed by the council, or the council may appoint a committee of three of its members to perform the duties of a board of works. The duties of this board are to acquire property for public use; erect public buildings and make public repairs; lay out, repair and change streets and alleys and prescribe their width and location; clean, light and sprinkle the streets; install levees, drains and sewers; collect and dispose of garbage; operate water, gas, electric light, telephone, heating and power plants; construct and maintain bridges, culverts and viaducts; authorize public utilities to use the streets; and deepen and change water courses. In some cases the board of works also has charge of the police and fire systems, city parks and cemeteries. A commissioner of public works may be appointed by the mayor to have general charge of the construction of city works otherwise done by the board of public works.

The Board of Public Safety consists of three members, appointed by the mayor, not more than two of whom are

members of the same party, who are able to speak and write the English language, and who serve during good behavior. There is a board of public safety in all first and second class cities which do not have a board of metropolitan police and fire commissioners, and the common council of all third and fourth class cities may create a board of safety, or the board of works may act as the board of safety. This board has general control of the police and fire departments of the city; it installs fire alarms, fire escapes, inspects buildings, boilers, market places, prisons and pounds; divides the city into police precincts and fire districts; appoints the chief of police, chief of the fire force, all members of police and fire forces, market master and station house keeper. In cities of the fifth class the council may authorize a committee of its own members to act as a board of safety, or the mayor may appoint the chief of the fire force.

In cities having a population of from 50,000 to 100,000, there is a board of metropolitan police and fire commissioners who have general control of the police and fire departments of the city. This board consists of three commissioners elected annually for terms of three years.

In cities having a population of from 10,000 to 35,000 there is a board of metropolitan police commissioners consisting of three members, appointed annually by the mayor for terms of three years.

Board of Park Commissioners. In cities of the first and second classes this board consists of four members, not more than two from the same party, appointed by the mayor for terms of four years beginning January 1st. The members of the board serve without compensation except their actual expenses. The council of any third, fourth or fifth class city may create a board of park trustees to manage the parks of the city. The council of any city owning or controlling a cemetery may transfer the management to a board of trustees of not less than five nor more than nine members who are lot owners in the cemetery and who are electd by the lot owners for terms of three years and who serve without

Board of Health. In most cities the board of health con- three terms of four years, not more than two of whom are compensation.

from the same party, and at least two of whom are physicians well informed in hygiene and sanitary science. This board has charge of the public health, city hospital and dispensary and city charities. They register births, marriages, deaths and other vital statistics; oversee the removal and burial of the dead; maintain an ambulance service; destroy or fumigate infected property or premises; register plumbers; oversee house drainage and plumbing; and establish and maintain playgrounds, baths and public comfort stations.

Board of School Trustees. In all cities of the state, except Indianapolis, the schools are under the control of a board of trustees. In Ft. Wayne this board consists of three members elected annually in June by the common council for terms of three years. In Terre Haute the board consists of five members who are elected at the regular city elections for terms of four years, from the city at large, on a non-partisan ticket. In cities having a population of from 36,000 to 40,000, the board consists of five members, elected from the city at large at the regular city election for terms of four years on a non-partisan ticket. Candidates for the office are proposed by petition, signed by not fewer than 200 householders and filed with a board of canvassers consisting of the mayor, clerk and comptroller, not less than thirty days before the election. Each elector may vote for as many candidates as there are trustees to be elected.

School Attendance Officers are appointed by the school trustees or school commissioners and must have completed the eighth grade or its equivalent. Any city having a school enumeration of 2,000 children or two or more cities in any county with a combined school enumeration of 2,000 may be constituted a separate school attendance district.

City Library Board. The city library generally is under the control of the board of school trustees or school commissioners. There may be a board of three members appointed by the judge of the circuit court for terms of two years. If a township joins with a town or city in supporting a library, the judge of the circuit court appoints three members from the city or town and township; the common council or town trustees appoint two members who are residents of the city or town; the township trustee is ex-officio a member and appoints one member. Not less than three of the

members must be women; all appointments are for two years and all serve without compensation.

The City Board of Registration in cities of the first and second classes consists of the city clerk and two other persons, nominated by the chairmen of the city central committee of the two leading parties and appointed by the clerk. There are no registration boards in other cities.

Courts.

In the most populous cities, criminal courts, having general jurisdiction over all kinds of criminal actions, have been organized. Juvenile courts in the largest cities and the judges of the circuit courts in smaller ones, have charge of delinquent boys and girls under the ages of sixteen and seventeen respectively.

The Mayors of cities may hold courts having jurisdiction in minor civil and criminal cases, usually consisting of violations of city ordinances. In cities of five thousand inhabitants, city courts may take the place of Mayor's Courts, while in the larger cities Police Courts serve the purpose of both.

Since 1905 city officers have been chosen every four years on the first Tuesday after the first Monday in November.

Towns and Town Government.

To organize a town it is necessary for the citizens to have a survey and map made of the territory to be incorporated; to prepare a census of the inhabitants, showing heads of families and real estate owners, and present a petition to the county commissioners signed by at least one-third of the qualified voters and by one-third of the real estate owners in the proposed town. If the result of the election then held is favorable three inspectors are appointed who divide the town into not less than three wards nor more than seven, and town trustees, clerk and treasurer are elected. Other officers are marshal, board of school trustees, board of health and finance board. There were 496 towns in Indiana when the report of 1918 was compiled.

Questions.

1. What is the form of government in your town or city?
2. What is the lawmaking body called? How many members has it? Does each one represent one section of the town or does he represent the whole town?
3. Whose duty is it to see that the city ordinances are enforced? Who holds that office in your city?
4. What body administers justice? What kind of cases come before this body?
5. Enumerate the elected officials of your city and state the duties of each. Salaries. Political affiliations.
6. Which of the following departments of business does your city have: Health, education, fire, police, public safety, finance, civil service, parks, libraries? Are there any others? How is each of these departments composed? By whom are the members of each department selected? Who are the members at present in your city? What are the duties of each department? Do any of these departments act together? To whom are they responsible for their actions?
7. What provisions are made for the care of the sick, the aged, the poor, and orphan children in your city?

(a) By the city? (b) By private agencies?

8. Can you name the cities of the first, second and third class?
9. Read your city charter.

CHAPTER VI.

Woman Suffrage.

"When the Susan B. Anthony Amendment was first presented to Congress forty-one years ago, one state had women voters. When in 1918 Congress passed the amendment women were voting partially or completely in twenty-eight states. That is why Congress acted. The exigencies of politics compelled the politicians of the national legislature finally to pretend to see what the leaders among women saw a half century ago. The women were that far ahead."

The federal amendment was first voted upon in the Senate in 1887 and in the house in 1915. There were five attempts to pass it through the Senate and three in the House. Each succeeding roll call showed a gain for the movement. In the Senate the votes stood as follows: In 1887, 16 voted for to 34 against; in 1914 the vote was 35 to 34; 1918, 54 to 30; February 10, 1919, 55 to 29 and finally on June 4, 1919, when it passed, 56 to 25.

In the House the 1915 vote was 174 to 264; in 1918, 274 to 136; May 21, 1919 it passed 304 to 89, 36 note voting.

Kocht of Pennsylvania and Clark of Florida were the only ones to vote against the principle of suffrage. All the rest voting "nay" admitted that they favored woman suffrage, but said that they could not support the federal amendment inasmuch as it violated the sacred principle of states' rights. Nation-wide prohibition seems not to have come under the same argument strongly enough, for 47 of the states' rights opponents of woman suffrage supported nation-wide prohibition.

Underwood's amendment, providing that this amendment should be ratified by state conventions instead of state legislatures, and Gay's amendment, giving the states authority to legislate for the enforcement of woman suffrage, were both defeated, although a few supporters of the suffrage resolution voted for these amendments.

Difficulty of State Method.

One of the principal reasons why women have worked for suffrage by federal amendment is that so many state con-

stitutions are practically impossible of amendment. I thirty-six of our states varying degrees of difficulty are me in the amending clause of state constitutions, and one need only to cite the case of Indiana to see the wisdom of workin for the federal amendment.

Any amendment to the Constitution of the State of Indian must receive a majority of the votes of both the Senate an House in two successive Legislatures. Then the questio goes to the people at the next election, whre it must receiv a majority of all votes cast, not on that question, but for an office. Thus all those who are too indifferent to vote eithe way on the amendment are counted against it. In addition t this difficulty no amendment may be presented to the legi lature while another amendment is pending. In this way a amendment which has been passed by the legislature, bu not adopted by the people, may block any other amendmen for many years.

These provisions make the constitution of Indiana pra tically impossible of amendment. The constitutions of man other states are as difficult of amendment as Indiana's a fe of them more so. The Vermont constitution may b amended only once in ten years; in Illinoise the same amend ment may be submitted only once in four years; in Ne Mexico in the referendum the measure must have a tw thirds vote in each county.

Full Suffrage Countries.

When the federal suffrage amendment has been adopte by the legislatures of thirty-six states the United Stat will then be able to take its place with the following cou tries which granted full snffrage to women in the years i dicated:

Australia	1902	Ireland	19
Austria	1918	Isle of Man	19
Belgium	1919	Italy	19
Canada	1918	New Zealand	19
Czecho-Slovakia	1918	Norway	19
Denmark	1915	Poland	19
England	1918	Russia	19
Finland	1906	Scotland	19
Germany	1918	Serbia	19
Holland	1919	South Africa	19
Hungary	1919	Sweden	19
Iceland	1913	Wales	19

Full Suffrage in United States.

In the United States women were granted full suffrage in:

Wyoming	1869	Oregon	1912
Colorado	1893	Alaska	1913
Idaho	1896	Montana	1914
Utah	1896	Nevada	1914
Washington	1910	New York	1917
California	1911	Oklahoma	1918
Arizona	1912	Michigan	1918
Kansas	1912	South Dakota	1918

Partial Suffrage.

In a number of states where it was impossible or very difficult to amend the constitutions the legislatures passed bills giving the women as large an amount of suffrage as was possible under their several constitutions. Many of these constitutions specified that men only should be allowed to vote for offices provided for by the constitution, which were state and county offices. This left no voters specified for national and municipal elections, which made it possible for the legislatures to pass bills admitting women to these elections.

States in which presidential and municipal suffrage was granted in this way are:

Illinois	1913	Tennessee	1919
North Dakota	1917	Vermont	1917(M)
Nebraska	191		1919(P)

Fifteen charter cities of Florida have given women municipal suffrage.

Indiana's legislature passed a bill of this sort in 1917, but the supreme court ruled it unconstitutional.

Presidential Suffrage.

In states where the constitutions provide that men only shall vote in all elections there was very little suffrage that the legislatures could give the women. There was a little, however,. The constitution of the United States provides that the power to decide who shall vote for national officials rests with the legislatures of each state. Thus no state constitution can take this power away from the legislature

even though it may specify who the electorate shall be. Acting on this authority given them by the federal constitution the legislatures of the following states gave the women presidential suffrage:

Rhode Island	1917	Minnesota	1919
Indiana	1919	Missouri	1919
Iowa	1919	Wisconsin	1919
Maine	1919		

Primary Suffrage.

In some of the southern states where the Democratic party is the only party which ever carries an election the women felt that if they could vote in the primaries, that is, could have a voice in nominating officials on the Democratic ticket, that would give them practically full suffrage. Accordingly they asked the legislatures of many states for this right. It was granted in:

Arkansas	1917	Texas	1918

Municipal primary suffrage was granted the women of Atlanta, Ga., in 1919.

School and Tax Suffrage.

The right to vote on the tax for schools for and on the issuing of bonds was given many women in the early days. As these matters are voted upon at special elections in these states, and as there is very little interest among either men or women in these elections th women do not place much value on this privilege. States where women have been granted this suffrage and no other are:

Kentucky	1838	Connecticut	1893
New Hampshire	1878	Delaware	1898
Massachusetts	1879	Louisiana	1898
Mississippi	1880	New Mexico	1910
New Jersey	1887		

Ratification of Amendment.

The ratification of the federal suffrage amendment, by which all the women of the United States will become fully

enfranchised stood, on Jan. 17, 1920, as follows:

Number necessary to carry the amendment	36
Number which have ratified	26
Number which have refused to ratify	2
Number needed of those yet to vote	10

Alabama and Georgia have voted against the ratification. A vote against ratification is not final, however, and they may ratify at any session of the legislature if the sentiment changes.

States which had ratified before Jan. 17, 1920, were:

Wisconsin	June 10	Nebraska	Aug. 1
Michigan	June 10	Minnesot a	Sept. 8
Kansas	June 16	New Hampshire	Sept. 10
New York	June 16	Utah	Sept. 30
Ohio	June 16	California	Nov. 1
Illinois	June 17	Maine	Nov. 5
Pennsylvania	June 24	North Dakota	Dec. 1
Massachusetts	June 25	South Dakota	Dec. 4
Texas	June 27	Colorado	Dec. 12
Iowa	July 2	Kentucky	Jan. 6
Missouri	July 3	Rhode Island	Jan. 6
Arkansas	July 28	Oregon	Jan. 12
Montana	July 30	Indiana	Jan, 16

The Legislature of Indiana ratified the Federal Suffrage Amendment on January 16. A call for a special session for the sole purpose of ratifying was sent out by Governor Goodrich January 13, and the Assembly convened three days later. The entire ratification was completed in three and a half hours, with a unanimous vote in the House and three dissenting votes in the Senate.

This was just one link in the chain of ratification, and nntil the full 36 States have ratified no change will be made in the political status of women in Indiana. They still have nothing but presidential suffrage.

Questions.

1. When and how was the Federal amendment passed?
2. Who has ratified? How many more are needed?
3. How can Indiana's constitution be amended?
4. Note the dates of the granting of suffrage in other countries. What would you say caused many of those grants? Why?
5. What states have full suffrage? Note the dates and see how it

spread from state to state. Why would you say it happened in this way?

6. How and why was partial suffrage granted? Presidential? Primary? What does each give the women? How many states have each?

7. What suffrage do women in Indiana now enjoy? For whom can they vote?

8. Contrast the value of primary, municipal and presidential suffrage.

9. Discuss the important questions and officials which neither presidential nor municipal suffrage includes.

CHAPTER VII.

Elections.

Elections are of two kinds, direct and indirect. Direct elections are those in which the electors vote directly for the candidates for office, while indirect are those in which the candidates are elected by a body which is voted for by the electors. The only officials selected by the latter method are the president and vice-president, discussed in the chapter on National Government. United States Senators were elected by the state legislators until the passing of the seventeenth Federal Amendment, which gave that power to the voters.

National elections are held on the Tuesday after the first Monday in November every four years, on the years whose number is divisible by four, and in most states the state elections are held on the same day, though some states have annual elections. County elections are held on the same day every two years in the even numbered years. City elections are held on the same day every four years, and in Indiana these are in the odd numbered years.

Three Duties of Voters.

In order to take full part in any election voters must go to the polling place three times, for the primary, for registration and for election. At the primary election, commonly known as the "primaries," the voter selects the men who are to be candidates for the offices on the various party tickets. At registration the voters go to have their names and addresess put on the registration books, which makes them accredited voters. At the election the men who are to fill the public offices are selected.

Primary Elections.

It is the purpose of the primary law to secure to each individual member of each of the political parties subject to the law the right to express directly his preference among the various candidates of his party for the following offices: Representatives in Congress, State Senators and Representatives; Judges of the Circuit, Superior, Criminal,

Probate and Juvenile Courts; Prosecuting Attorneys; all county officers; township trustees, assessors, justices of the peace and constables. If the primary precedes a city election all elective city officials are nominated. The primary law also provides that the members of each party participating in the primary may express their preference for candidates of their party for President and Vice-President of the United States, and for United States Senator and Governor. Then if any candidate gets a majority the party must support him in the nominating convention.

Importance of Primaries.

In the eyes of many people the primary is the most important part of any election. In county and municipal elections, where national party policies play little part, this is held particularly true, because if good men are nominated for the offices in both parties a good administration will result, no matter which party carries the final election.

There are a few people who object to voting at the primaries because they do not want to do anything which will lessen their independence of parties. In order to vote at the primary it is necessary for the voter to declare himself a member of one of the parties in order that he may receive a ballot of that party on which to cast his vote. This does not prevent him from scatching his ballot at the fall election.

The law fixes the first Tuesday after the nrst Monday in May of each year preceding each state, congressional, county, city and township election as the date for holding the primary.

Each county has a Board of Primary Election Commissioners, which board also constitutes the County Canvassing Board. The Secretary of State, the Treasurer of State and the Attorney-General constitute the State Canvassing Board.

Primary Election Officers.

The Primary Election Board of each precinct is composed of one inspector, two judges, two clerks, two sheriffs, and one poll book holder for each political party participating in the primary. Election precincts for primary elections

are the same as for general elections. It is the duty of the county commissioners to publish notice of place and time of primary elections.

Qualifications for Voting.

The qualifications for a voter at a primary are the same as for a general election, except that no registration is necessary and a citizen who will be of the proper age at the time the general election is held may vote at a primary even though he has not attained that age at the time the primary is held.

The Primary Ballot.

Names may be placed on the primary ballot by filing a petition of voters or by filing a declaration of candidacy as provided by law. The names of candidates for each political party shall come on that party's official ballot in the following order: 1. Candidates to be voted for in the whole county. 2. Candidates for county councilman to be voted for in that particular district. 3. Candidates for state delegates to be voted for in that particular township or ward. 4. Candidates for township offices to be voted for in that particular township. 5. Candidates for precinct committeemen to be voted for only in that particular precinct. The name of an unopposed candidate for nomination should not be placed on the ballot.

Ballot Boxes. The ballot boxes, one for each party, must be opened, examined, closed and locked before announcement is made that the polls are open. One key for each box must be retained by the inspector and one duplicate for each box given to one of the judges whose party politics is different from the inspectors'.

Primary election officials are not representative of political parties but are public officials and draw their pay from the public treasury, not from political parties.

The process in detail of casting the ballot is the same as that for the general election, and is described in the paragraph on "Process of Voting." After ballots are counted and placed in a sealed package, the clerk of the circuit court keeps them for six months from date of receiving them.

Registration.

The law of Indiana specifies that any person who votes at any general election held in the state shall be at the time of such election a registered voter under the requirements of the act passed by the Legislature of 1919. The Legislature of 1917 passed a registration law which required that every voter must register at the court house of his county, or before a notary public. This worked a hardship on people living in remote parts of the county, was very unpopular and was repealed by the 1919 Legislature, the new law providing that voters shall register in their own precinct.

In each calendar year in which will occur a general election, the board of commissioners in each county appoints two registration clerks for each voting precinct, and in precincts where voting machines are used there is also an inspector appointed. The two registration clerks must not be adherents of the same political party. The inspector and two clerks constitute the board of registration.

Sessions of Registration Board.

The regisration board of each precinct must hold two regular sessions, one on Saturday the fifty-ninth day before the election, known as the September session; the second session is to be held on Monday the twenty-ninth day before the election and is known as the October session. The auditor of each county gives ten days' notice of the time and place of the session of the registration board. Registration books and blanks are obtained from the county auditor by the registration board of each precinct.

Residence Qualifications.

The law requires that the voter must have lived in the state six months, and in the United States one year immediately preceding such election, and in the township sixty days and in the ward or precinct thirty days before such election.

The voter is required to give his name, age, residence and certain other facts, and to prove his citizenship. This is entered on the official registration books, which are used afterwards on election day inside the polling places. Copies of these books, which are then called poll books, are made by both political parties. These poll books are given to the precinct committeemen and it is their duty to investigate the names, and learn whether or not those registering are legal voters in their precinct. If any are found which are fraudulent their names are marked, and if these men present themselves at the polling place on election day they are challenged and an effort is made to prevent them from voting. Thus is carried out the whole purpose of the registration law, the prevention of illegal voting.

The General Election Officials.

The principal officials for elections are the judges, inspector of elections, poll clerks and ballot clerks. The Inspector appoints two judges, one from the Republican and the other from the Democratic party. The inspector and these two judges compose the Election Board. It is the duty of the ballot clerks to hand out the ballots to the voters and to check their names on the registration list. They write their initials on the outside of the ballot, and no ballot can be counted which does not have such initials. Outside the polling place each party is allowed to have watchers or challengers, and the dominant party has a sheriff. Electioneering within a certain number of feet of the election place is forbidden and no person except the election officials, watchers and the person casting his ballot is allowed in the polling room.

The Voting Booth.

Voting booths are designed to preserve the secrecy of the ballot and usually consist of a single room with tables for the use of the election officers and small booths or compartments in which the voters may mark their ballots. Not more than one person is permitted to occupy any booth at one time.

The Process of Voting.

When the elector goes to the booth to vote, he gives his

name and address to the ballot clerks, who examine the registration list to see if he is registered. If he is, they check his name and hand him a ballot. The voter takes his ballot and enters the voting compartment, draws the curtain, and marks the ballot as he wishes to vote. Before leaving the compartment he folds the ballot so that his vote is concealed and the initials of the ballot clerks are on the outside. He then goes to the table where the poll clerks are sitting and gives them his name and address, and deposits his ballot in the ballot box. Each poll clerk makes a list of the voters who have voted. In case the voter is not registered, or the election judges doubt his right to vote, or in case his vote is challenged by the party watchers, he must "swear in" his vote, as it is called.

The Ballot.

The Australian ballot as used in this country is a party ballot. T he candidates for office are arranged in party colums, there being as many columns from left to right as there are parties, with usually a column for independent candidates. The offices to be filled are listed vertically at the left of the ballot, with the names of the candidates opposite in the respective party columns. At the top of each column, under the name of the party, is a square or circle. To mark his ballot the voter places an "x" in these squares.

Voting Machines.

The law says that the Board of Commissioners of every county in this state in which is located a city having a population of thirty-six thousand or more, shall and the board of commissioners of all other counties in this state may, adopt and purchase or procure for use in the various precincts of the county any voting machine approved by the Voting Machine Commission, and none other. The machine is so arranged that the voter may register his vote by pulling certain levers. It works on the principle of an adding machine, recording each vote and adding the number of votes which each candidate receives at the same time.

Counting Ballots.

When the polls are closed the votes are counted in each precinct, in the presence of watchers from the political parties, by the sworn judges and clerks. When the voting machine is used, the machine is locked against voting and the counting compartment opened. The results are read by the Inspector and taken down by each of the poll clerks on books prepared for that purpose. After certificates are made and signed as required by law, they are returned to the office of the clerk of the circuit court and to the board of canvassers

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CHAPTER VIII.

Laws Concerning Women and Children.

A survey of the laws affecting women and children in Indiana will give us some idea to what extent our government exists for the good of all the people.

Someone has said, "It is not more necessary for a woman to know how to add and substract than it is for her to understand how far her right in the guardianship of her children extends, what provision the law makes for her in the estate of her husband, and how free she is to acquire and alienate property. The origin and history of mothers' pensions which keeps thousands of children in their homes and out of charitable institutions, labor laws and regulations which affect those who must work to live, and the fact that a married woman has no control of her citizenship (that she is no longer an American if she marries an alien), these things every woman should know."

There is no state in the union which is fairer to women in regard to property rights than Indiana. In the days when women's legal status everywhere was not much different from that of any other piece of property men who were far ahead of their time influenced legislation in Indiana, securing to women title to their own property, fair inheritance and many other rights. There are very few changes in the laws along that line which women of this state need.

Property Rights.

One of the first steps in the emancipation of women in America from the old condition of subserviency has been the granting of property rights to married women. Some modification of the old law has been made in every state and in many states a married woman is now the absolute owner of her own property and is able to make civil contracts and to sue or be sued on the same basis as a married man.

What is still lacking is a legal recognition of the wife's claim to a share in the property of her husband or a share in his income when they are living together and when his property may be the result of her hard work, economies and good

judgment as much as of his business ability. At present the neglect of the woman's economic contribution to the home and to the support of the family, which is made when she is not a money earner but a homemaker, is shown not only in the laws but also in the census reports and in the common opinion, which reckons a woman to be unemployed when she has only the duties of the home to discharge.

Indiana Laws.

Some of the laws granting women of Indiana property rights are as follows:

All legal disabilities of married women to make contracts are abolished.

All lands and the profits therefrom of a married woman shall be her separate property, but she shall have no power to encumber or convey her real estate unless her husband join in the deed.

All her property real and personal together with the rents and profits therefrom shall remain under her control and she may at any time sell and convey her personal property.

The will made by a married woman is valid.

On the death of the husband the widow takes one-third of his real estate in fee simple unless the real estate exceeds in value $10,000, when the widow has one-fourth only; or if over $20,000 one-fifth only as against creditors. If there is only one child and no will she receives one-half.

The earnings and profits of any married woman accruing from trade, business, service or labor, other than labor for her husband and family, shall be her own separate property.

Guardianship of Children.

Under the old English law the father was the head of the family and the sole guardian of his children. As such he decided every question in regard to education, labor and mode of living of his minor children, was entitled to the whole of their earnings and in case of death he was their sole heir. In almost every state some modification of this relation of the father to the family has been made by act of the legislature, but in twenty-five states the old law in general still holds. In six of these states the father is given the right to will his

children away from their mother. In these twenty-five states the father is in sole control of the children so long as he and the mother live together and so long as the courts have not decreed that he is an unfit person to have charge of his children. All of these are man-suffrage states.

In Indiana the father of a minor shall have the custody of the person and the control of the education of such minor. Widows are the guardians of their minor children living with them.

Age of Consent.

In the United States in the absence of statutes, the age below which a child could not consent to her own defilement has been taken to be ten and this age still remained the limit until very recently in Georgia, the only state which has not legislated years ago on this subject. The highest age at which protection is given to girls in any state is twenty-one. In Indiana it is sixteen. In many states there are gradations of punishment, criminal assaults on little children being treated as rape with lighter penalties for assaults on older girls.

The mere statement of the punishment provided in the statutes of any states gives only a slight idea of the degree of protection afforded to girls. In most states it is very difficult to get a conviction. The wide variation in the punishment prescribed in the southern states is due to the fact that it is not considered criminal for a white man to have intercourse with a colored girl of immature years.

Mother's Pensions.

State laws providing pensions for mothers in order to enable them to keep their children with them after the loss of the bread winner belong entirely to the last six or seven years. Twenty-four of our states have them, but Indiana is not among the list. In Illinois, $15.00 is paid for the first child, $10.00 for each of the others, but the entire pension must not exceed $60.00 a month. This is a very generous law as compared with some of the others. The time during which children are thus cared for by the state varies from fourteen to sixteen years.

Minimum Wage Laws.

Eleven states have laws either directly providing for the payment of minimum wages to women and minors or establishing industrial commissions with power to inquire into conditions and wages in any trade and to determine on minimum rates. In most states the minimum set is very low. An effort has been made to have such a law in Indiana, but no progress has been made thus far. Advocates of such a law assert that the payment of less than a living wage is one o the most important causes of immorality among women.

Women in Industry.

The report of the survey of the Women in Industry Service of the United States Department of Labor, made in November and December, 1918, says:

"Indiana has a prohibition of night work applying to manufacturing; a prescribed lunch period of one hour with a requirement for posting the written permit of a shorter period allowed; provisions relating to comfort and sanitation; and a law limiting the daily and weekly hours of labor of girls under 18 years of age. But Indiana does not prohibit night work in any occupation other than manufacturing; does not define explicitly enough the standards of comfort and sanitation which should be established; does not insure one day of rest in seven for girls under 18. Most important of all, the Indiana law does not limit the daily or weekly hours of employment of adult women in any occupation."

A woman in Indiana over 18 may not work at night in manufacturing, but she breaks no law if she begins work in a factory at 6:00 A. M. and works until 10:00 P. M., and has one hour for her noonday meal, i. e., fifteen hours a day. She may work all night cleaning windows of railway cars or she may wrap bread all night long.

Working Conditions.

Second in importance to hours which women work are conditions which surround them while they are at work. In some states they are clearly defined in the law while in

others they are regulated by an industrial commission which is given power to define and enforce industrial codes dealing with such subjects. In Indiana the law is vague in a number of points and the board has powers of enforcement but not of definition of standards and this renders enforcement difficult since it rests so largely with individual inspectors. According to an enactment of the 1919 legislature women are now represented on the industrial board, which is expected to make the whole condition of women in industry much better.

The factory inspection law of Indiana passed in 1899 provides that a suitable and proper washroom and water closets shall be provided and that same shall be properly screened and ventilated and be kept clean with not less than one seat for each 25 persons, etc., but it does not define the meaning of "suitable" and "proper" and is therefore not a guide to employers in determining the type and arrangement of such facilities as will conform to legal requirements.

Child Labor In Indiana.

Indiana laws provide against the employment of children under the age of 14 in any gainful occupation other than farm or domestic service, or canning and preserving of fruit and vegetables. For children under 16 years of age a limit is set of 48 hours in one week or 8 hours a day unless the parent or guardian gives written consent, and then the limit is 54 hours in one week, or 9 hours in one day. The hours set for such labor are from 7 in the morning until 6 in the evening.

It is against the law for a child under the age of 16 years to work in any place where tobacco is prepared or manufactured; or to be employed in any place of amusement where his morals may be depraved or his health injured, this latter provision applying to dipping or packing matches, packing or storing gunpowder, dynamite, nitro-glycerine, fuses or other explosives. The law also provides that girls under 18 shall not be employed in any capacity where such employment compels them to remain standing constantly. Boys under 14 are not permitted to be employed in any mine. Boys under 16 and girls under 18 are not allowed to clean machinery in motion.

No child under the age of 18 shall be hired out for the purpose of singing, playing on any musical instrument or begging, and no child under the age of 15 may be employed for the purpose of exhibition as a gymnast, acrobat or rider or for any obscene, illegal or indecent exhibition or any vocation injurious to the health or dangerous to the life or limb of such child or for the purpose of prostitution.

The law provides for compulsory school attendance up to 14 and a child must be in school or at work between 14 and 16.

Questions.

1. Would you say that a housekeeper is not "employed." May such work be considered as "earning a living?" Why?
2. What property rights have Indiana women?
3. Would you say that the guardianship laws in Indiana were just? What hardships might be worked by them?
4. The age at which a girl in Indiana may dispose of real estate is 21. Compare this with the age of consent. Why would you say law makers have made this difference between the ages at which she may dispose of property and consent to her own ruin?
5. What would you say the result of mother's pensions would be?
6. Why are minimum wage laws needed?
7. What laws protect women in industry in Indiana? What others are needed? Who opposes them?
8. At what ages and under what conditions may children work? Would you say these were adequate laws? Who opposes additional laws? Who evades present ones?
9. What is the compulsory education law? What do you think of it?

Why Indiana Needs a New Constitution

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By

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Professor of American History and Politics

Indiana University

Price 10 Cents

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THE following address was delivered by Prof. James Albert Woodburn, on the occasion of the second annual convention of the Woman's Franchise League of Indiana, May 5, 1913, Indianapolis, Ind.

WHY INDIANA NEEDS A NEW CONSTITUTION.

This is a long subject for a short talk. What one can say in fifteen or twenty minutes can be only by way of suggestion. Many possible improvements in our State Constitution might be named, but they cannot in so short a time be explained or discussed. I venture, therefore, to put forward one cause on which for these few moments I wish to concentrate attention.

It may seem a venturesome and ungracious thing to announce in this presence at the outset that this cause is not that of woman suffrage. But it is not unrelated to suffrage, and it is a vital subject in which the people are always interested, as it deals with a function of government that touches the interest of every citizen, man or woman, who helps to bear the burdens of the State. I refer to the subject of taxation—a matter that has caused more revolutions and more

trouble in history than any other in the life of organized society. Unjust taxation makes up a very large part of man's inhumanity to man, and we have a constitution that perpetrates and tends to perpetuate this injustice. Taxation has ever been and will ever continue to be one of the primary problems of government. The state that solves that problem equitably and justly achieves much for civilization and the happiness of mankind. What are the conditions of that problem under the present constitution of Indiana? I affirm that the present constitution of the State makes a just system of taxation impossible, without disregard or evasion of the organic law.

A constitution is ordained to establish justice. To achieve justice is the elemental function of the state. If justice is to be denied continually there is no reason for existence either for a state or its constitution. The old constitution says that "justice shall be administered freely and without purchase; completely and without denial; speedily and without delay." I do not care to refer to what seems to be the tragic irony of this passage as we think of the times when ten years or more of litigation have been required for the recovery of a workman's fair compensation for loss of life or limb. Even the late effort to amend the constitution by a legislative caucus recognized the necessity of authorizing the Assembly to enact a workman's compulsory compensation law in order that justice may not be too frequently outraged within her own courts. But the injustice I have in mind lies in another direction, and though it is not more cruel than the wrong I have cited, it is more nearly universal. I would avoid immoderate utterance, but I think it not too bold to say that when we confront the problem of taxation we are face to face with the bald fact that **justice is unconstitutional in Indiana.** I speak of the fact, not of the fiction or the theory, of the law. It is a condition not a theory that confronts us.

Our present constitution provides for the valuation for taxation of all property, both real and personal, and that the law shall provide for "a uniform and equal rate of assessment and taxation" on all such property. The system here "made and provided," as the lawyers say, involves the general property tax or a uniform ad valorem tax on all classes of property alike. Those who have studied the problem of taxation at all need not to be reminded that such a system is a dismal failure. The attempt to execute it has been for many years but a denial of justice. As between different classes of citizens and different communities it is grossly unfair and inequitable. It attempts to assess at cash value at a given date all kinds of properties at a uniform rate; to impose the same tax on every species of property irrespective of its nature, its use, its productivity, its conditions, or its class. Experience has shown it to be a system which tends to put every taxpayer up to circumventing the law, whether by shrewdness, trickery, or technicalities within the law or by downright perjury and knavery without the law.

I cannot here dwell upon the palpable injustice that is involved in such a system. Every tax commission soon comes to understand the glaring inequalities and failures

of the general uniform and personal property tax, such as our constitution imposes. Every intelligent taxpayer may easily understand the wrong that is done. There is but one thing uniform about it; that is the uniform iniquity of it and the uniform testimony against it among all intelligent students of taxation. There is no dissenting voice. There is a saying attributed to Gladstone that government should "make it as easy as possible to do right and as hard as possible to do wrong." Our tax system reverses this elemental maxim of citizenship. By the scheme we are vainly trying to work, under the old constitution, it becomes most unprofitable to do right and very profitable to do wrong. And when the assessor starts on his spring rounds every good man must steel himself against tremendous pressure that tends to draw him into the game which seems designed to punish the upright citizen, to reward the downright rascal, to defraud the State, and to enable the strong to shift their fair share of the tax burden to the shoulders of the weak. I need not speak of the glaring evasions of the personal property tax that have now become so common that some tax authority has said that what one pays of this tax is like a voluntary contribution to the state. The inequities of real estate assessments are equally unfair. I myself have seen a piece of inside property in a small city sell for $15,000 which was assessed for about one-eighth of its value. It had been going up in value $500 a year for ten years while it was allowed to remain an unsightly place in its billboards, its dirt and its ash heaps. In the same city, on the outskirts, were workmen's and widows' cottages producing no income and not rising in value, but which were assessed at 80 per cent. of their values. The whole system, like a devourer of widows' houses, is so hideous with injustice that it is amazing an intelligent people should endure it for a year. Eminent students of taxation like Professor Seligman, of Columbia, and Professor Bullock, of Harvard, have denounced it as "the worst tax known in the civilized world." "It reduces deception to a system and makes a science of knavery. It presses hardest on those least able to pay. It imposes double taxation on one and grants entire immunity to another; it debauches the conscience of the citizen, puts a premium on perjury and a penalty on integrity and produces widespread demoralization." I presume such language is quite familiar to those who have attended conferences on taxation or have sat on tax commissions or boards of review. If, then, we retain such a system in the light that experience and the science of taxation have thrown upon it, or if we retain a constitution that binds us to it, we do but admit our ignorance of our spineless inertia and unfitness to govern.

In saying this I do not in the least impeach the integrity or the intelligence of the men who made our constitution over sixty years ago. They intended well and they did well for their day and generation. But the tax scheme which they imposed upon the State by a rigid provision in a written constitution was made for a time when taxables consisted almost entirely of lands, improvements, live stock, and other tangible personal property, all visible to the assessor. Under idyllic rural conditions of

seventy years ago in Indiana, the system was workable with a measurable degree of equity. But what did the framers of this constitution know seventy years ago about insurance, public utilities, franchises and forestry, or the possibility of revenues to the State therefrom? Times change and men sometimes change with them, but a stand-pat rigid constitution never! Now, as we all know, modern property is largely intangible, and communal, and invisible, and large values come from public opportunities, franchises and sites. In a measure we have adjusted ourselves to changed conditions in spite of our constitution, and we make some use of legal operations, insurance, corporation, and franchise taxes in order to make some rational adjustments to modern conditions. But we are still fatally embarrassed by a rigid constitutional law that prevents the application of a modern scheme of taxation. The one thing needful is a classification of property which is now prohibited. We must remove obsolete constitutional restraints on the classification of property. If we are to continue to tax property instead of privilege then we must pass from a general to a classified property tax. Modern tax systems are based upon this principle, that it is necessary to discriminate between various classes of property and businesses, and to employ different methods and rates of taxation in dealing with them. This principle has been emphasized by the reports of tax commissioners for years, but in Indiana we cannot apply it, because an obsolete constitution stands athwart the path. The principle that is sought to be applied is that the rate of taxation on any class of property should be adjusted to what that class can equitably bear.

Take, for instance, forest property. Is it like ordinary real estate? Should it be taxed at the same rate? Can we hope to reforest this State under our present tax laws? Everyone knows the answers to these questions. And it is clear what ought to be done. But again the Constitution stands like a hoary obstacle in the way. The Legislature is helpless, as the courts would certainly overthrow any act that attempted to exempt forest lands from taxation or to lower the rate from the uniform charge.

It is high time we had a sovereign convention, or a legislature with sovereign power to adjust taxation, and to establish justice.

In what I have said about taxation, while I have not more than touched the fringes of the subject, I have about used up my time, and it is my desire to mention a few other subjects. But before I leave the topic of taxation let me incidentally stir up your pure minds by way of remembrance. James Russell Lowell once said that this Republic would endure so long as it was true to the ideals of its founders. May we not hope, therefore, that when a constitutional convention meets in Indiana to form a new organic law it may call to mind an ideal of the father—expressed in the good old American maxim so familiar in the days of Hancock and Adams and Otis—namely, "there shall be no taxation without representation." Those who pay taxes should have a voice in their assessment and distribution. This is not the form in which the founders of the Republic expressed their conviction, but it is in harmony with their ideas of justice, and I think

it is in harmony with ours. This would, of course, mean suffrage for all women of the State, for the men of Indiana will never enact a property qualification for the exercise of the voting privilege.

But there are a few other subjects which I wish to mention, though time will not permit me to discuss them.

We ought to have an application of the short ballot in Indiana. I believe it would make for truer democracy and greater efficiency. There is an element of absurdity in the popular nomination and election of a county surveyor or a county coroner, or a state geologist or a state statistician. Quite a line of officials might be named that need not be elective and public attention and responsibility might then be centered upon policies and policy-determining officials. Also, we need a constitution that will give a greater degree of home rule for cities, and a larger freedom in local taxation, by which equitable taxation might be still farther promoted and some of the unearned increment on real estate and site values might accrue to the public. It is desirable also that there may be exemption of the productive investments of towns and cities from the constitutional debt limit. Then our cities could come more readily into their own in the control and ownership of their public utilities. Here is a subject worthy of elaboration, as it is of great interest to progressive government, but it must be allowed to pass with the mention.

Our new constitution should give us a larger application of the initiative and the referendum. This is a mooted question on which there is no general agreement. But I think we should continue to insist upon democratizing our constitution. There have always been timid souls afraid of democracy. The foes of democracy who are not timid have always been persistent in their efforts to retard a democratic advance. As in the days when Hamilton opposed Jefferson or Clay opposed Jackson, or Jefferson Davis opposed Abraham Lincoln, so in these days there are those who are ready to fight for some form of oligarchy, or class government, or government by a minority. It has not been my observation that the abuses of government have been the abuses of majorities. They have usually been the abuses and oppressions of minorities. We need a constitution that will protect us from the persistent misgovernment and inaction of interested minorities. There are those who seem to think that the object of a constitution is to protect the minority. That is a perverted idea. It is true only if we wish to establish government by the privileged members of a governing class. The object of a constitution in a democracy is to protect all alike, but especially to protect the majority in their right to govern, to give them power, to permit government to be conducted in their interests, that the state may secure the greatest good to the greatest number.

In the new constitution it should therefore be provided that the people may initiate legislation on important public policies despite the inertia of a reluctant legislature, and that they may be permitted to veto and prevent legislation which a legislature of an easy and undemocratic conscience might seek to impose.

For the sake of this larger democracy we should have a more flexible constitution, one which the people may change by their vote, if they wish, within a reasonable time. The absurd difficulty of the present amending process in Indiana is so well known that nothing need be said upon it. The most reactionary bourbon politician in the state is compelled to admit its inadequacy and its failure. The effort of two years ago to evade this amending process by handing down a whole host of amendments at once under the guise of a new constitution is well known recent history. The courts have decided that it is not for the Governor and a party legislative caucus to determine what changes should be made in our organic law. The decision may accord with the popular desire, but in my judgment appeal was made to the wrong court, and it is time that appeal were made to the higher tribunal, the people themselves. Let the people decide in the good old way—through men elected for the purpose, their accredited representative in convention assembled—what changes shall be proposed in .their constitutional organic law. There will be clashes of opinions, of policies, and of interests, but out of it all will come the common judgment, and by that we can afford to abide.

Let us seek a constitution that will show respect for the people and confidence in their ability to govern themselves. And, if we are to have government by the people, it must be government by the majority of the people and not by the minority, and government by all the adult people instead of by only half. Therefore we should drop the word "male" in defining those who shall have the privilege and the duty of participating in the conduct of the State. We should, as a rule, seek to avoid restrictions and specifications and leave available the largest possible liberty. A constitution of a million words dealing with a multitude of all sorts of prohibitions and **specifics** borders upon the absurd in political science. The fundamental law should deal with broad general principles of government. Under it the people should be left with the largest freedom to legislate, to establish new policies and to meet new conditions as they arise. Let our constitution stand for what we think all men ought always to stand—for certain long established fundamental principles to which men of all parties and creeds will subscribe—for the old bill of rights, the muniments of civil liberty which antedate all our written constitutions, which no parchment ever created and which no written constitution will ever be sufficient to defend. When the State comes to write a new constitution it is well that we should renew expressions of our devotion to these old principles; should define our republican government and proclaim our adherence to it; and set forth again the old political principles by which we propose to live—civil and religious freedom, freedom of speech, freedom of assembly, freedom of the press, the largest possible liberty under the law, equality and justice to all, home rule and local self government in State, county, city and township.

But few forms, restrictions and prohibitions need be added, for good government and liberty are paid for by eternal vigilance and the civic spirit of the people, not by a volume of articles inserted in a written con-

stitution. We believe in equal rights for all and special privileges for none. Let us in our fundamental law profess what we believe and live by what we profess.

FORMS OF CITY GOVERNMENT

An Outline of the Federal, Commission and Commission-Manager Plans of City Government

BY

FRANK G. BATES

Associate Professor of Political Science
Indiana University

Indiana
Bureau of Legislative Information
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CONTENTS.

INTRODUCTORY NOTE.

The purpose of this Bulletin is to place before the citizens of Indiana, in an impartial way and as clearly as may be, the essential facts concerning the three forms of city government now most in use in the United States. In connection with each of the forms described is presented a resume of the points of advantage urged for each by its advocates. There are next presented an explanation of certain institutions or devices not essential to any one of the forms but applicable to each with varying degrees of appropriateness. To this is added a brief synopsis of the "Model Charter" presented by a Committee of the National Muncipal League at its Annual Meeting held in Dayton, Ohio, in November, 1915.

JOHN A. LAPP,
Director.

I.

DEVELOPMENT OF CITY GOVERNMENT.

As the rapid growth of cities was a striking fact of the nineteenth century, so is the solution of the vast complex of municipal problems created thereby a foremost question in government of the twentieth century. In the solution of the problems of municipal government the most serious obstacles have been:

1. Clumsy and unworkable forms of government.
2. State interference in purely local affairs.
3. The injection of partisan politics into municipal administration.

The efforts of those who have sought better things in city government have been for the last half-century devoted chiefly to removing these particular obstacles from the path of municipal progress. Attention is directed in this bulletin to a comparison of the three chief forms which have been proposed in the effort to find a simple and effective plan of city government.

The history of city government in this country falls into three periods merging and overlapping, but clearly distinguishable. The first, covering the eighteenth century, is characterized by an adherence to English models. Under that system all authority was vested in the city council elected by the people on a restricted franchise. The mayor, elected by the council or appointed by the governor, presided in council meetings but without veto power. He also exercised some magisterial power but was in no sense an administrative officer. The range of municipal activities was narrow and the limited amount of administrative work was performed by committees of the council. The model which we then followed has in these respects been continued in England to the present day.

The second period of municipal development covers the nineteenth century and its culmination is found in what is now denominated the "federal" form of government. The

third period, the years since 1900, has been marked by the development in quick succession of the "commission" and the "commission-manager" forms of government.

According to the prevailing political theory of the end of the eighteenth century, federal and state governments had been organized under a system whereby legislative, executive and judicial powers were entrusted to distinct authorities each designed to be a check upon the others. Reasoning from analogy, it was conceived that a system which was believed to be successful in union and state must work equally well in city government. Accordingly, the mayor was made elective by the people, given the veto power and usually removed from the presidency of the council. The council became divided into two chambers, aldermen and common councilors, but retained its administrative functions exercised as theretofore through committees. The magisterial work of the mayor was transferred to a city judge.

It should be observed, however, that the federal and state governments differ in one important particular, viz., that while in the former all administrative power is concentrated in the president acting through subordinates responsible to him, in the latter the administrative power is scattered among many disconnected officers, elected or appointed, and responsible to no central head. It will be apparent, then, that it was really the state rather than the federal analogy which governed in the remodeling of city government at this time.

This change was but the inauguration of a period of experimentation which led ultimately to the acceptance of the federal rather than the state model.

Contemporaneously with the multiplication of municipal functions in the second quarter of the nineteenth century came the spoils system. Susceptibility to this and other corrupting influences cost the councils and their committees their prestige and soon their power. To secure closer responsibility in administration that work was given over to boards whose members were chosen by popular election. The remedy of popular election proved vain and made responsibility even more difficult to fix. Many cities next substituted a single elected department head for the board and with favorable results. Finally, in the last decades of the century the more progressive cities accepted the federal analogy, abolished administrative boards and elected department heads, and substituted a centralized administration under the headship of the mayor.

Federal Plan.

The essentials of the "federal" plan as worked out at the end of the last century and as now in use is formed on the theory of checks and balances through the separation of the three powers of government. The council, at first consisting of two chambers, but more recently reduced to one, is elected either by wards or on general ticket or by a combination of the two methods. The functions of the council are purely legislative and include ordinance making, making of appropriations and the levy of taxes. The chief executive is the mayor elected by popular vote. He has general supervision of the affairs of the city, makes recommendations to the council and has a veto on their acts. The mayor is made the real head of the administration by giving him power to appoint the heads of departments and their subordinates and to dismiss them at will. In many cities the plan is modified in one or both of the following ways: 1. By requiring the council's approval of the mayor's appointments; 2. By selecting certain officers, like treasurer, auditor, clerk and attorney by popular vote; 3. By the popular election of certain boards, such as water-works, utility, park, health and sinking fund boards and sometimes giving them independent taxing power. But whenever such modifications exist, they must be recognized as distinct departures from the dominant principles of the federal plan—complete administrative centralization.

The judicial functions are exercised by the city judge who is either appointed by the mayor or elected by the people.

The Indiana law for city government in cities of the first four classes is based upon the federal plan with certain modifications. Under this law the council elected in part by wards and in part on general ticket is restricted to legislative functions. The administrative functions are centralized in the mayor who appoints and removes at will the heads of departments except the treasurer who is the head of the department of assessment and collection. The city judge is elected by the people. The chief modifications of the federal plan under Indiana law are that the clerk, treasurer and judge are elected by the people and that where water-works, park and sinking fund boards exist they are made bi-partisan. Cleveland offers one of the latest and perhaps the best examples of a charter of the federal type. There the essentials of the plan have been united with several of the newer devices in government of which mention is made on a later page.

The end of the nineteenth century found the federal plan in operation in its entirety in comparatively few cities but many had adopted it with some modifications. A majority were still struggling, too often with disastrous results, with some one of the experimental forms devised in earlier years.

The chief advantages urged by the advocates of the plan are:

1. That it preserves the principle of the separation of powers and the safeguard of checks and balances, principles which have the sanction of both federal and state usage.

2. That it places the appropriating and spending of funds in separate hands.

3. That while concentrating administrative authority, it presents to the people a considerable share of direct participation in government through the ballot.

4. That, since the important thing in government is the determination of policies by the people through their representatives, a council of sufficient size to be truly representative is desirable. This the federal plan provides for.

5. That, by having a council of considerable size, it is made less susceptible to control by political or sinister private influences than a smaller body.

Commission Plan.

The third epoch in city government in this country was marked by the Galveston disaster in 1900. Under the stress of the emergency arising, the old mayor-council government broke down and an emergency government in the form of a "commission" was created by special act of the legislature. The distinctive features of the commission plan as then devised and since worked out more completely are three.

First, all legislative and administrative authority of the city is concentrated in a small body, the commission, usually consisting of five persons. Second, the commission collectively exercises legislative authority and is the responsible head of the administration. Third, the commissioners are severally the heads of the five departments into which the administrative service is grouped, and are responsible for its administration to the commission as a whole.

These three principles consitute the essentials of the plan, and though in Des Moines and generally throughout the country many additions and modifications, good or bad as they may be, have been coupled with them in laws and charters, commission government must stand or fall by the success of these three.

This plan abandons the theory of the separation of powers and returns to the idea of concentration of powers of colonial times, but with this essential difference, viz: that, whereas the old English plan vests the consolidated power in a large legislative body, the council, the new plan vests them in a small administrative body, the commission. The commissioners are chosen on general ticket but since the commission is a continuing body the voters are not called on at any election to select more than two or three persons. In a number of cities the plan is modified in the same way as in the

federal plan by the popular election of civil service commissioners, judge or auditor or all of them. All other officers are appointed by the commission or by the head of a department and, except as protected by civil service laws, are removable at their pleasure.

Each commissioner as head of a department has supervision over its work and is responsible to the commission for its administration.

With respect to the relation of the individual commissioner and his department, two practices may be observed. In Galveston the commissioners receive a moderate salary and devote only a portion of their time to the city service. The commissioner in this case is not a professional working head of the department but rather a committee of one from the council supervising and responsible for the doings of the professional subordinates. In Houston, whose example has been followed in this respect by nearly all commission governed cities, the several commissioners are the real working heads of their departments, devoting their whole time to the service and receiving compensation accordingly. The Houston plan possesses the grave disadvantage of attempting to fill posts requiring specialized training by popular election, a thing which has not proved practicable under any form of government.

The ''Galveston idea,'' as it was then commonly called, gained no currency outside Texas until 1907, when Des Moines adopted it and Kansas passed a law permitting its use. Thence forward its spread was rapid. Today it is in force in approximately four hundred cities, including more than one-third of the cities in the United States of over thirty thousand inhabitants scattered throughout the country. Among the larger cities now operating the system, may be noted New Orleans, Buffalo, St. Paul, Denver, Memphis and Oakland.

The advantages of the commission plan as set forth by its advocates are as follows:

1. By concentrating both legislative and administrative

power in the same body, harmony is substituted for the deadlock between council and mayor which arises under the federal and other mayor-council forms.

2. By the concentration of power it becomes possible to fix responsibility for acts of omission and commission, as is not possible under a more decentralized system.

3. The advantages of the ''short ballot'' are secured. Since but two or three persons are to be voted for at once, the attention of the voter is concentrated on a few candidates and a real choice may be exercised, as is not the case when a large number of places are to be filled.

4. The election on general ticket avoids ward politics and log-rolling and the evils which follow in their train.

5. Concentration of authority in a few hands permits a more prompt, direct and business-like transaction of the public business free from red tape and circumlocution.

Commission-Manager Plan.

When cities in certain states sought to introduce commission government, it was found that constitutional obstacles intervened in the shape of a prescribed form of government for all cities. To secure the advantages of a centralized administration and trained administrative supervision there was created in Staunton, Virginia, where such constitutional obstacles existed, in 1908, the position of ''general manager.'' To this manager the regular city officials delegated a large share of their administrative authority. Acting upon the suggestion thus offered, the city of Lockport, New York, hit on the idea of combining the commission plan with the general manager idea of Staunton and the resulting form soon became known as the commission-manager plan of government.

As Lockport failed to secure legislative sanction for its plan, it fell to the lot of Sumter, South Carolina, actually to put it in practice in 1912.

The essence of the plan is a small representative body, called council or commission, elected by the people and in

whom are vested the corporate powers of the city. In this respect it does not differ from the commission plan. With respect to this council there is a tendency of expert opinion to favor a representative body somewhat larger than the ordinary commission but smaller than the usual council, and this for the purpose of securing a body more widely representative. In practive, to the present time, the number five has usually been selected.

Upon the administrative side the manager plan seeks to remedy two defects which have developed in the commission form. The first of these is the one already noted in the Houston type of commission, where is attempted the impossible task of securing trained professional department heads, by election, as commissioners. The second defect is one which to that extent, at least, makes the commission form inferior to the federal plan. Instead of concentrating administrative power and responsibility in a single head, the commission plan sets up a five-headed executive. This defect in the commission plan and its results are pointed out by Professor H. G. James of the University of Texas. He says: "Theoretically it is true the commission as a whole is responsible for the administrative as well as the legislative side, but in popular imagination and in actual practice each commissioner is an independent administrative head and his is the real responsibility for the effectiveness of his department. Manifestly this makes a five-headed executive for the city as a whole and one would expect the inconveniences that inevitably result from a diffusion of executive power to make themselves felt under such an arrangement. It is a curious fact that while advocates of commission government have stressed the analogy between corporate organization with its board of directors and commission government with its commission of five, they have failed to notice the lack of any office in the city corresponding to the most important factor in corporate management, the president or manager." (Bulletin, University of Texas "What Is the City Manager Plan?")

These two defects of the commission plan are obviated in the commission-manager plan by placing all the administrative functions in the hands of a city manager appointed by the commission and responsible to it. The central purpose is to secure a central administrative head who shall have the practical and professional training in administration qualifying him to supervise and direct the operations of the several departments.

To secure the best man wherever he may be found, no restriction as to residence is placed on the choice of manager and to make the position attractive to a professional man the term is made indefinite with the expectation that the appointment shall continue as long as mutually satisfactory. In many instances managers have been secured from distant points as a result of advertising. The heads and principal assistants in the departments are appointed by the manager but the lower professional and clerical service is protected by civil service rules. Since the manager is made responsible for the service, he may dismiss any officer or employe for cause stated. In many of the approved charters, the judge, attorney, auditor and civil service commissioners are appointed by the commission, the manager's sphere being thereby restricted to the clerical, engineering and industrial branches of the city work.

The analogy of the industrial corporation has frequently been employed to explain the plan. The commissioners (directors) are elected by the citizens (stockholders) to have general charge of the business; to outline the policy of the concern; appoint a manager and staff officers, such as auditor and attorney; consider plans of the manager; raise money for carrying out the plans and pass judgment on the work of the manager.

The manager is selected for professional fitness at a salary great enough to secure adequate talent. He prepares plans to submit to the board, and, with their approval and with money granted by them, he is told to select his force of men, do the work and show results. Into the details of

the work and the selection of the force the commissioners (directors) do not attempt to go. With the recall of the board (directors) in the hands of the people (stockholders) general supervision by the board (directors) and the audit by the auditor, the manager is held to close accountability.

The commission-manager form of government, though not yet four years old, has already been adopted in its pure form in about forty cities, distributed in fifteen states and in a modified form in a large number of other cities. Dayton is the only city among them of over one hundred thousand population. Among the larger cities under this plan are Springfield, Ohio; Jackson, Michigan; Wheeling, West Virginia; Portsmouth, Virginia; and Niagara Falls, New York.

The arguments advanced for this plan are those already set out for the commission plan to which are added:

1. It carries the centralization begun under the commission plan to its logical conclusion, by adopting the form of organization so successfully employed in business concerns and concentrating chief authority in the hands of the manager.

2. It emphasizes the expert professional element as opposed to the political in administration.

3. It avoids the attempt to secure professional skill by popular election.

4. While securing the responsibility of the one to the other it separates the popularly elected policy, determining commissioners whose personnel must vary with varying public opinion, from the administrative force where policy and frequent change have no place.

II.

FEATURES APPLICABLE TO TWO OR ALL OF THE PLANS.

When the commission form of government was taken up by Des Moines there were incorporated in their law several features which had not been included in the Galveston and Houston charters. These were non-partisan nominations and ballot, the initiative, the referendum, the recall and the merit system. None of these features were new, each having been in use where commission government did not exist, but since that time they have been so generally embodied in commission government laws and charters that they have in the popular mind, become identified with that form. More recently there have been added three other features: carefully detailed provisions for an accounting and budget system, preferential voting and proportional representation. Since any one of all these devices above enumerated may be, and all except the last two, have been combined with each of the three forms of government under consideration, the advocates of no plan can put forward an exclusive claim to them. It is true, however, that they are more easily and far more generally applied to the commission and commission-manager plans than to the older plan. Since, where these devices are used, they modify so materially the character and possibilities of the government, it is necessary, in passing judgment on any municipal government act or charter, to observe to what extent they are incorporated therein.

Non-Partisan Elections.

By the method of nomination by petition and without party designation or endorsement it is hoped to remove parties and the evils of partisan politics from city elections. This method of nominations has very generally been em-

ployed in the commission and the commission-manager types of government. The non-partisan direct primary seeks the same result at the same time reducing the number of candidates appearing on the official ballot. The non-partisan ballot gives no candidate, whatever the method of his nomination, an advantage derived from party designation.

Merit System.

The merit system, commonly spoken of as "civil service" long since introduced into the federal government and more recently to a limited extent in the states, has been widely employed in cities under all the forms of government. In federal and state government, it is conceded by all that not only the legislative body but a certain number of chief administrative officers who have discretion and influence in determining policies to be followed should reflect popular opinion on questions of the hour and should, therefore, change with public opinion. In city affairs, however, it is not political discretion, but technical and professional skill, that is required of administrative officials. Hence politics should be restricted to the elected legislative officers who are to determine policies, viz.: the council or commission and, under the federal form, the mayor also.

The advantage for efficient service offered by a competent force of officials secure in the tenure of their positions is so evident to the business sense of the thoughtful observer unblinded by the hallucination that somehow business principles should not be applied to politics, that its mere suggestion ought to be the signal for its acceptance. Unfortunately the hallucination is still widespread. The merit system should certainly find universal acceptance under the commission and commission-manager plans where the business analogy has been so strongly urged, but, even under the commission plan, this safeguard has been but imperfectly maintained.

The Initiative, Referendum and Recall.

Irrespective of opinion as to their efficacy when applied to other fields of government, the use of the initiative, referendum and recall in city charters is widely advocated and they have been used very generally in the newer laws. It is agreed that most questions of city policy are so closely related to the daily life of the citizen and can be put in such concrete form that the voter can intelligently and profitably use both the initiative and the referendum. The recall as a means of securing responsiveness and enforcing responsibility is strongly urged and especially so in connection with the newer forms of government where the old check and balance methods of control are abandoned. Even under the federal plan, it has found many advocates and some acceptance.

As the initiative and referendum are urged for their value as stimuli to desired ends, so is the recall favored as a powerful deterrent to improper action. One of the practical objections to these three devices seems to be that it has often been made too easy to set them in motion. If it is desired to introduce them, careful consideration should be given to the percentage of signatures required to invoke their aid.

Preferential Ballot and Proportional Representation.

The preferential ballot is a form whereby the voter is given opportunity to register not only his first choice for a given office but also to express a further judgment by recording his second, third and even other choices.

By this system, if no candidate secures a majority of first choices, the second choices marked for each candidate are added to their first choices and the one thus securing the highest vote wins if that number be a majority of all first and second choices. If no election results, third choices are taken into account. This system works well with nomination by petition since it is adapted to elections where there are many candidates. It makes unnecessary conventions, pri-

maries and other complicated nominating machinery. It serves to prevent the election of a candidate who is the real choice of only a minority of the voters as is so often the result of a three-cornered contest. The objection usually offered, that it is difficult of operation, seems not to have been borne out in Grand Junction, Colorado, and Spokane, Washington, the two cities where it has been longest in use. When the election is to select one from a list of more than two candidates, the preferential system is applicable. It is adapted to the selection of mayor or other elective administrative officers including commissioners under the commission plan.

But when the purpose is to elect a deliberative representative body such as a city council or commission, as under the federal or commission-manager plans, the system of proportional representation serves better. Under the usual systems of voting, minorities, however large, may frequently have no representation whatever. The purpose of proportional representation is to give each party or group of opinion, representation in proportion to its voting strength and thus make the legislative body a true reproduction in miniature of the parties and interests in the community. The voter marks his first, second and third choices as on the ordinary preferential ballot. By counting the different choices in a prescribed way, any group of persons of a certain size may elect of the whole number a proportion equal to the ratio which the number of the group bears to the whole number of voters. Though at first sight the manner of counting seems complicated, it has been successfully employed in Tasmania, Denmark and South Africa and recently in electing the commission in Ashtabula, Ohio, under the commission-manager form of government.

Accounting and Budget Procedure.

It is now generally accepted that more of the bad effects seen in city government flow from ignorance, waste and general inefficiency than from the moral obliquity of of-

ficials. It is probably true that twenty years ago no city in the country could, at the close of the year, have presented to its citizens a balance sheet which would show the assets and liabilities of the city, or from which one could determine on which side of the ledger the balance stood as a result of the year's operations. From the reports made it was impossible to determine what proportion of funds expended had gone into permanent improvements, thus adding to the capital value of the corporation, or what proportion of moneys borrowed had been used for current expenses, thus inviting ultimate financial disaster. Reports if made at all furnished little or no real information to the citizens. Too often this is still true. Recent laws creating state accounting departments have added much to the security of municipal funds but have been of little service for informing citizens concerning the efficiency of their government.

Careful charter makers have sought in recent years to place city finance on a basis of business efficiency in the matter of accounting, whatever be the form of government adopted. These charters call for a system which shall record, not only receipts and expenditures, but also revenues accrued and liabilities incurred and all financial transactions. Reports are required at frequent intervals of such a nature that the financial standing of the city can be clearly determined therefrom. Along with the requirements just mentioned, it is specified in these charters that the budget shall contain statements of appropriations asked for by each department for the ensuing year, carefully classified as salaries, equipment, supplies, maintenance and permanent improvements. Alongside these must be shown the expenditures for like purposes in each of the two preceding years and a specific statement of each increase or decrease requested with the reasons for it. This information is to be accompanied by a statement of the financial condition of the city and of the estimated revenues for the ensuing year. The enforcement of such a program of accounting, reporting and budget making together with stringent regulation of bond issues and

provision for bond redemption would go far toward placing the finances of our cities on the sound financial basis which has heretofore been conspicuous by its absence.

Home Rule.

Whatever be the form of municipal government making the strongest appeal to any community, its actual putting into effect depends ultimately upon the will of the state expressed in the constitution or through the legislature. Formerly all cities received charters granted by special act of the legislature but, to secure uniformity and to avoid burdening the legislature with a mass of special legislation, many states passed general laws providing one uniform charter for all cities. Such was the case in Ohio in the years just preceding 1912. The obvious inappropriateness of having one form for both small and large cities was obviated in many states by the classification of cities and varying the law from class to class. This method is seen in Indiana where the form of organization for the first four classes varies but slightly while that for cities of the fifth class is materially different. In a goodly number of states the people in the constitution have given to cities the right to make their own charters. In some like Washington, Oregon and Colorado, no limitation is placed on the city except that charters shall be in harmony with the constitution and general laws; in California the charter when made must be approved by the legislature; in Oklahoma approval is by the governor; still, others, like Connecticut, permit charter making if the charter embodies certain features. Another group of states, including Ohio, New York, Massachusetts and Virginia, present alternative plans from which cities may select in framing charters. Ohio offers a choice between the three forms described in this bulletin while Massachusetts and New York add still other forms which are variations of the federal and older plans. Viewing the country as a whole, there is a decided tendency toward home rule, first by abandoning the strict enumeration of powers of cities and substituting per-

mission to exercise all powers and perform all functions conected with purely local affairs, and second by permitting cities to make their own charters within the broad limits laid down in several alternative forms specified in the statutes.

Conclusion.

Recent years have brought very great advances in city government. Rivalry between forms of government has been keen in some quarters. Two new plans recently developed have, by their novelty and the enthusiasm of their advocates as well as by their intrinsic merits, gained great popularity. The older plan, the product of a slower evolution and departing less widely from precedent, has appealed more strongly to conservative minds. It would sometimes appear to be commonly believed that, upon the adoption of this or that plan of government, the solution of all municipal problems is accomplished. Too often, the efforts of the public have been exhausted in a vain search for a piece of automatic governmental machinery which, having been wound and set in motion on election day and left unwatched and unguided thereafter, will perform its function perfectly and, on the next election day, be found working smoothly and needing only to be rewound. We need to be reminded that no device or institution, however perfect, will take the place of an intelligent and alert civic spirit among the citizens. A Committee of the National Municipal League recently expressed a truth in this connection when it said: "It is also true that no form of government can in and of itself produce good results. The most that any plan can do is to provide an organization which lends itself to efficient action, and which at the same time places in the hands of the electorate simple and effective means for controlling their government in their own interests. The evils in city government due to defective and undemocratic organization can thus be removed; beyond that, results can only be achieved through the growth of an active and enlightened public opinion."

The newer plans of government, the commission and commission-manager plans, can scarcely be said to have passed the experimental stage. The concensus of opinion among specialists in governmental science and the most advanced city officials is that, so far, the commission-manager form gives brightest promise of success of any experiment yet made in city government in the United States. What its future may bring forth of strength or weakness one can but conjecture. That it will prove the final form, as some of its enthusiastic supporters prophesy, may scarcely be admitted since, in matters of government, there can be no final form.

SYNOPSIS OF THE MODEL CITY CHARTER

Presented by

A Committee of the National Municipal League.

In 1900, the National Municipal League issued a model city charter which embodied the best principles in city government then known to experts. This model was essentially the federal plan without most of the special features such as non-partisan elections, initiative, referendum, recall, etc. and this is the model upon which the present Indiana law for cities is based.

At its meeting in November, 1915, the league again considered a model charter which it will issue during 1916. As in the earlier instance, this charter embodies the principles which at present are most approved by experts. The outstanding points of difference between the two models are: First, the commission-manager form of government supersedes the federal form; second, there are careful stipulations with respect to accounting and budgetary procedure; and third, elaborate provisions relating to public utility franchises.

All corporate powers of the city are vested in a council elected at large and varying in numbers from five to twenty-five according to the size of the city. The council elects its own chairman who is called the mayor. He is the official head of the government but has no administrative powers whatever. The members of the council who are the only officers to be elected by the people are nominated by peti tion, elected on a non-partisan ballot and by the system of proportional representation. Provision is made for the initiative of measures of legislation and for a referendum upon initiated measures and upon acts of the council. The recall may be invoked upon petition of fifteen per cent of the votes cast at the last election.

The chief executive officer is the city-manager chosen by

the council on grounds of practical and professional fitness alone and without limitation as to residence. He is appointed for an indefinite term and is removable by the council at will upon charges and public hearing. The manager appoints and removes the heads of departments and all other officials and employes except as they are protected by civil service rules. Five administrative departments are proposed, viz.: law, health, works and utilities, safety and welfare, and finance, and when schools are under the city government, a sixth, education. The lesser officials, clerks and employes, are selected by the manager under civil service rules under the supervision of a civil service commission appointed by the council but are removable by the manager for cause stated to the civil service commission.

The financial sections provide for a detailed estimate made by the manager with comparative statements of previous appropriations together with statements of financial conditions and estimated revenues. Public hearings on the budget before passage are provided for. Total appropriations which must be based on the budget must not exceed estimated revenues and no item of the budget may be exceeded nor a new item introduced except on the recommendation of the manager or by a three-fourths vote of the council. Bonds may be issued only after public notice and by a two-thirds vote of the council. Amortization of bonded debt must be by serial notes rather than by sinking funds and such debt must be extinguished within the probable life of the improvement for which the debt is incurred.

The franchise sections provided for municipal ownership and operation when voted. Franchises are indeterminate and must include provisions for maintenance of plant, amortization of capital, right of the city to take over the utility, method of valuation of plant and franchise, tax payments, rate regulation, extensions and safety requirements.

With this model charter is recommended for adoption a constitutional amendment designed to give cities a wide measure of home rule. The first provision, instead of enumerating the powers of cities, gives to each "all powers relating to its municipal affairs." The second provision gives to each city the right to make and adopt its own charter.

LIST OF REFERENCES.

Note: This list contains the titles of but a few of the more easily accessible works. For a very complete list of authorities see the eighth title below. Since the federal plan has been the product of a gradual evolution it has seldom received separate treatment but it is treated incidentally in the general works. The commission-manager plan is yet so new that the literature upon it is as yet chiefly to be found in periodical literature.

General Works.

Beard, C. A. American city government. New York, Century, 1912. $2.00.

Bureau of Municipal Research, New York. Handbook of municipal accounting. New York, Appleton, 1913. $2.00.

Cleveland, F. A. Chapters on municipal administration and accounting. New York, Longmans, 1909. $2.00.

Fairlie, J. A. Municipal administration. New York, Macmillan, 1906. $3.00.

Goodnow, F. J. City government in the United States. New York, Century, 1904. $1.25.

Howe, F. C. The modern city and its problems. New York, Scribner, 1915. $1.50.

James, H. G. Applied city government. New York, Harper, 1914. 75 cents.

Munro, W. B. Bibliography of municipal government. Cambridge, Harvard University Press, 1915. $2.50.

Munro, W. B. The government of American cities. New York, Macmillan, 1912. $2.25.

National Municipal Review, quarterly. Philadelphia, National Municipal league. $5.00 yearly subscription.

Rowe, L. S. Problems of city government. New York, Appleton, 1908. $1.50.

Wilcox, D. F. The American city; a problem in democracy. New York, Macmillan, 1904. $1.25.

Wilcox, D. F. Municipal franchises, 2v. New York, Engineering News, 1910-11. $5.00 per volume.

Commission Plan.

Annals of the American academy of political and social science. Commission government and the commission-manager plan. Philadelphia, 1914. $1.00.

Beard, C. A. Loose leaf digest of short ballot charters. New York, Short ballot organization, 1911. $5.00.

Bradford, E. S. Commission government in American cities. New York, Macmillan, 1911. $1.25.

Bruére, H. The new city government. New York, Appleton, 1912. $1.50.

McGregor, F. H. City government by commission. Madison, University of Wisconsin, 1911. 40 cents.

Robbins, E. C., Editor. Selected articles on the commission plan of municipal government. Minneapolis, H. W. Wilson, 1910. $1.00.

Woodruff, C. R., Editor. City government by commission. New York, Appleton, 1911. $1.50.

Commissioner-Manager Plan.

Annals of the American academy of political and social science. See above.

Bradford, E. S. Commission form vs. city manager plan. American city, January, 1914.

Childs, R. S. Theory of the new controlled executive plan. National Municipal Review, January, 1913.

Committee on commission government. National Municipal league, report. National Municipal Review, January, 1914.

Gilbertson, H. S. City manager plan no novelty. American city, January, 1914.

James, H. G. Defects in the Dayton charter. National Municipal Review, January, 1914.

Toulmin, H. A., Jr. The city manager. New York, Appleton, 1915. $1.50.

Upson, L. D. The city manager plan of government for Dayton. National Municipal Review, October, 1913.

Waite, H. M. The commission manager plan. National Municipal Review, January, 1915.

HISTORIC DOCUMENTS

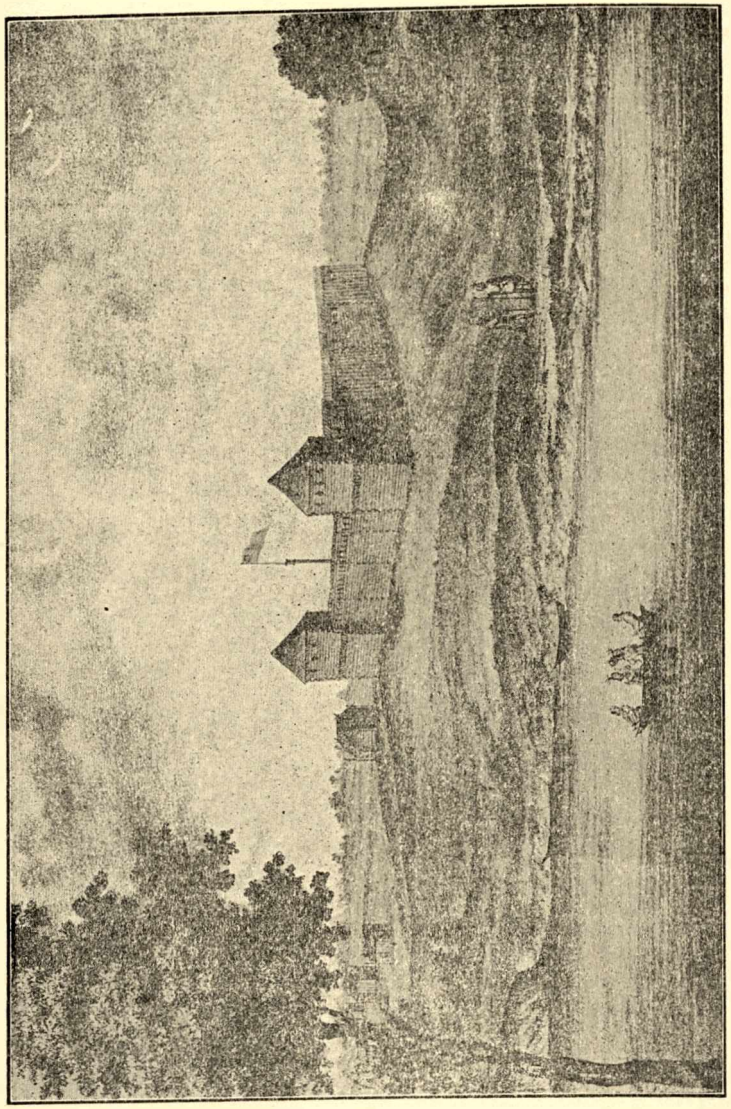
Relating to the Organization

of the

State of Indiana

BULLETINS ONE TO NINE, INCLUSIVE

BY AUTHORITY
BOARD OF SCHOOL TRUSTEES
TERRE HAUTE, INDIANA
August, 1917



FORT HARRISON—Built by General William Henry Harrison in October, 1811, and defended by General Zachary Taylor September 3 and 4, 1812, against several hundred Indians who had agreed to destroy the Fort and its occupants. Aside from the homes of a few squatters, Fort Harrison was the first institution in Vigo County.

Historic Documents

Relating to the Organization

of the

State of Indiana

BULLETINS ONE TO NINE, INCLUSIVE

Papers showing the transfer of ownership, of what is now the State of Indiana, from the State of Virginia to the United States Government. Also the Laws and Ordinances showing the organization of the territory, and later, the State of Indiana. ¶ For use in the Terre Haute Public Schools.

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Herbert Briggs

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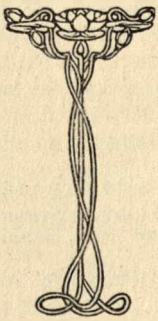

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TERRE HAUTE, INDIANA
August, 1917

Herbert Briggs

Printed by the Vocational Press
705 Lafayette Avenue
Terre Haute, Indiana

Bulletin Number 1.

Act of Virgina

An Act to Authorize the Delegates of This State in Congress, to Convey to the United States in Congress Assembled, All the Right of This Commonwealth to the Territory North-westward of the River Ohio.

(Passed by the Virginia Legislature December 20, 1783)

1. Whereas the congress of the United States did, by their act of the sixth day of September, in the year of one thousand seven hundred and eighty, recommend to the several states in the Union, having claims to waste and unappropriated lands in the western country, a liberal cession to the United States, of a portion of their respective claims for the common benefit of the Union:

2. And whereas the commonwealth did, on the second day of January, in the year one thousand seven hundred and eighty-one, yield to the congress of the United States, for the benefit of the said States, all right, title, and claim, which the said commonwealth had to the territory north-west of the river Ohio, subject to the conditions annexed to the said act of cession:

3. And whereas the United States in congress assembled, have, by their Act of the thirteenth of September last, stipulated the terms on which they agree to accept the cession of this state, should the legislature approve thereof, which terms, although they do not come fully up to the propositions of this commonwealth, are conceived on the whole, to approach so nearly to them, as to induce this state to accept thereof, in full confidence that congress will, in justice to this state for the liberal cession she hath made, earnestly press upon the other states claiming large tracts of waste and uncultivated territory, the propriety of making cessions equally liberal, for the common benefit and support of the Union:

Be it enacted by the general assembly, That it shall and may be lawful for the delegates of this state to the congress of the United States, or such of them as shall be assembled in congress, and the said delegates, or such of them so assembled, are hereby fully authorized and empowered, for and on behalf of this state, by proper deed of instrument in writing, under their hands and seals, to convey, transfer, assign, and make over unto the United States in congress assembled, for the benefit of the said states, all right, title, and claim,

as well of soil as jurisdiction, which this commonwealth hath to the territory or tract of country, within the limits of the Virginia charter, situate, lying, and being to the north-west of the river Ohio, subject to the terms and conditions contained in the before recited act of congress of the thirteenth day of September last, that is to say: Upon condition that the territory so ceded shall be laid out and formed into states, containing suitable extent of territory, not less than one hundred, nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit; and that the states so formed, shall be distinct republican states, and admitted members of the Federal Union, having the same rights of sovereignty, freedom, and independence, as the other states; that the necessary and reasonable expenses incurred by this state in subduing any British posts, or in maintaining forts or garrisons within and for the defense, or in acquiring any part of the territory so ceded or relinquished, shall be fully reimbursed by the United States; and that one commissioner shall be appointed by congress, one by this commonwealth, and another by those two commissioners, who, or a majority of them, shall be authorized and empowered to adjust and liquidate the account of the necessary and reasonable expenses incurred by this state, which they shall judge to be comprised within the intent and meaning of the act of congress of the tenth of October, one thousand seven hundred and eighty, respecting such expenses. That the French and Canadian inhabitants and other settlers of the Kaskaskies, St. Vincents, and the neighboring villages, who have professed themselves citizens of Virginia, shall have their posessions and titles confirmed to them, and protected in the enjoyment of their rights and liberties. That a quantity not exceeding one hundred and fifty thousand acres of land, promised by this state, shall be allowed and granted to the then colonel, now General George Rogers Clarke, and to the officers and soldiers of his regiment, who marched with him when the posts of Kaskaskies and St. Vincents were reduced, and to the officers and soldiers who have been since incorporated into the said regiment, to be laid off in one tract, the length of which is not to exceed double the breadth, in such place on the north-west side of the Ohio as a majority of the officers shall choose, and to be afterwards divided among the said officers and soldiers in due proportion according to the laws of Virginia. That in case the quantity of good lands on the south-east side of the Ohio, upon the waters of the Cumberland river, and between the Green river and Tennessee river, which have been reserved by law for the Virginia troops upon Continental establishment, should, from the North Carolina line bearing in further upon the Cumberland lands than was expectcd, prove insufficient for their legal bounties, the deficiency should be made up to the said troops in good lands, to be laid off between the rivers Scioto and

Little Miami, on the north-west side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia. That all the lands within the territory so ceded to the United States, and not reserved of or appropriated to any of the before mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United States as have become, or shall become members of the confederation or federal alliance of the said states, Virgina inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever. Provided, that the trust hereby reposed in the delegates of this state shall not be executed, unless three of them, at least, are present in congress.

Agreeably to the above recited act, the territory therein alluded to, was, on the first day of March, 1784, transferred to the United States, by deed, signed by Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, then delegates in congress, from the commonwealth of Virginia.

(See Vol. 1, page 472, U. S. Laws.)

Bulletin Number 2.

(Act of the Legislature of Virginia.)

An Act Concerning the Territory Ceded by This Commonwealth to the United States.

(Passed December 30, 1788.)

1. Whereas the United States in congress assembled, did on the seventh day of July, in the year of our Lord one thousand seven hundred and eighty-six, state certain reasons, showing that a division of the territory which hath been ceded to the said United States by this commonwealth, into states, in conformity to the terms of cession, should the same be adhered to, would be attended with many inconveniences, and did recommend a revision of the act of cession, so far as to empower congress to make such a division of the said territory into distinct and republican states, not more than five nor less than three in number, as the situation of that country and future circumstances might require: And the said United States in congress assembled, have, in an ordinance for the government of the territory northwest of the river Ohio, passed on the thirteenth of July, one thousand seven hundred and eighty-seven, declared the following as one of the articles of compact between the original states, and the people and states in the said territory, viz:

(Here the fifth article of compact of the ordinance of congress of 13th July, 1787, is recited verbatim.)

And it is expedient that this commonwealth do assent to the proposed alteration so as to ratify and confirm the said article of compact between the original states, and the people and states in the said territory:

2. Be it therefore enacted by the General Assembly, That the afore-recited Article of Compact between the original states, and the people and states in the territory north-west of Ohio river, be, and the same is hereby ratified and confirmed, any thing to the contrary, in the deed of cession of the said territory by this commonwealth to the United States, notwithstanding.

Bulletin Number 3.

Ordinance of Congress

In Congress July 13, 1787

An Ordinance for the Government of the Territory of the United States North-west of the River Ohio.

Be it ordained by the United States in congress assembled, That the said territory, for the purposes of temporary government, be one district; subject, however, to be divided into two districts, as future circumstances may, in the opinion of congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory, dying intestate shall descend to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grand child to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her, in whom the estate may be, (being of full age,) and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered, by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after; proper magistrates, courts, and registrars shall be appointed for that purpose; and personal property may be transferred by delivery; saving however, to the French and Canadian inhabitants, and other settlers of the Kaskaskies, Saint Vincents, and neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and cus-

toms now in force among them, relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed, from time to time, by congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed, from time to time, by congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office; it shall be his duty to keep and preserve the acts and the laws passed by the legislature, and public records of the district, and the proceedings of the governor in his executive department; and transmit authentic copies of such acts and proceedings, every six months to the secretary of congress: There shall also be appointed a court to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate, in five hundred acres of land, while in the exercise of their offices; and their commission shall continue in force during good behavior.

The governor and judges, or a majority of them, shall adopt and publish in the district, such laws of the original states, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to congress, from time to time; which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of by congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

The governor for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same, below the rank of general officers; all general officers shall be appointed and commissioned by congress.

Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the general assembly shall be organized, the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the exe-

cution of process, criminal and civil, the governor shall make proper divisions thereof, and he shall proceed, from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the general assembly; provided that, for every five hundred free male inhabitants, there shall be one representative, and so on, progressively, with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which the number and proportion of representatives shall be regulated by the legislature, provided, that no person be eligible or qualified to act as a representative, unless he shall have been a citizen of one of the United States for three years, and be a resident in the district, or unless he shall have resided in the district three years; and in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; provided also, that a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

The representative thus elected, shall serve for the term of two years; and in case of death of a representative, or removal from office, the governor shall issue a writ to the county or township, for which he was a member, to elect another in his stead, to serve for the residue of the term.

The general assembly, or legislature, shall consist of the governor, legislative council, and house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by congress; any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to-wit: As soon as representatives shall be elected the governor shall appoint a time and place for them to meet together, and when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to congress; five of whom congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to congress; one of whom congress shall appoint and commission for the

residue of the term. And every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to congress; five of whom congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives shall have authority to make laws in all cases for the good government of the district, not repugant to the principles and articles in this ordinance established and declared. And all bills having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the general assembly, when in his opinion it shall be expedient.

The governor, judges, legislative council, secretary, and such other officers as congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office; the governor before the president of congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled, in one room, shall have authority, by joint ballot, to elect a delegate to congress, who shall have a seat in congress, with the right of debating, but not of voting during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws, and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory; to provide, also for the establishment of states, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original states, at as early periods as may be consistent with the general interest:

It is hereby ordained and declared, by the authority aforesaid, That the following articles shall be considered as articles of compact between the original states and the people and states in the said territory, and forever remain unalterable, unless by common consent, to-wit:

Art. 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

Art. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeascorpus, and of the trial by jury; of a proportionate representation of the people in the legislature, and judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where

the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishment shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with, or affect private contracts or engagements, bona fide, and without fraud, previously formed.

Art. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed toward the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorized by congress; but laws founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

Art. 4. The said territory, and the states which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the articles of confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts, contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by congress, according to the same common rule and measure by which apportionments thereof shall be made on the other states; and the taxes for paying their proportion, shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new states, as in the original states, within the time agreed upon by the United States in congress assembled. The legislatures of those districts, or new states, shall never interfere with the primary disposal of the soil by the United States in congress assembled, nor with any regulations congress may find necessary, for securing the title in such soil, to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory, as to the citizens of the United States, and those of any other states that

may be admitted into the confederacy, without any tax, impost, or duty therefor.

Art. 5. There shall be formed in the said territory, not less than three, nor more than five states; and the boundaries of the states, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to-wit: The western state in the said territory shall be bounded by the Mississippi, the Ohio, and Wabash rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle states shall be bounded by the said direct line, the Wabash, from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern states shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: provided however, and it is further understood and declared, that the boundaries of these three states shall be subject so far to be altered, that, if congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory, which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said states shall have sixty thousand free inhabitants therein, such state shall be admitted, by its delegates, into the congress of the United States on an equal footing with the original states, in all respects whatever; and shall be at liberty to form a permanent constitution and state government: provided the constitution and government, so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be less number of free inhabitants in the state than sixty thousand.

Art. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: provided always, that any person escaping into the same, from whom labour or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labour or service as aforesaid.

Bulletin Number 4.

An Act to Provide for the Government of the Territory North-west of the River Ohio.

(Approved August 7, 1789.)

Whereas, In order that the ordinance of the United States in congress assembled, for the government of the territory north-west of the river Ohio, may continue to have full effect, it is requisite that certain provisions should be made, so as to adapt the same to the present constitution of the United States.

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That in all cases in which, by the said ordinance, any information is to be given or communication made, by the governor of the said territory, to the United States in congress assembled, or to any of their officers, it shall be the duty of the said governor to give such information and to make such communication to the president of the United States; and the president shall nominate, and, by and with the advice and consent of the senate, shall appoint all officers which, by the said ordinance, were to have been appointed by the United States in congress assembled; and all officers, so appointed, shall be commissioned by him; and in all cases where the United States in congress assembled, might, by the said ordinance, revoke any commission or remove from any office, the president is hereby declared to have the same powers of revocation and removal.

Sec. 2. And be it further enacted, That in case of the death, removal, resignation, or necessary absence, of the governor of said territory, the secretary thereof shall be, and he is hereby authorized and required to execute all the powers, and perform all the duties of the governor, during the vacancy occasioned by the removal, resignation, or necessary absence, of the said governor.

Bulletin Number 5.

An Act to Divide the Territory of the United States North-west of the Ohio Into Two Separate Governments.

(Approved May 7, 1800.)

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in congress assembled, That, from and after the fourth day of July next, all that part of the territory of the United States north-west of the Ohio river, which lies to the westward of a line beginning at the Ohio, opposite to the mouth of the Kentucky river, and running thence to Fort Recovery, and thence north, until it shall intersect the territorial line between the United States and Canada, shall, for the purposes of temporary government, constitute a separate territory, and be called the Indiana territory.

Sec. 2. And be it further enacted, That there shall be established within the said territory, a government, in all respects similar to that provided by the ordinance of congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the territory of the United States north-west of the river Ohio; and the inhabitants thereof shall be entitled to, and enjoy, all and singular the rights, privileges, and advantages, granted and secured to the people by the said ordinance.

Sec. 3. And be it further enacted, That the officers for the said territory, who, by virtue of this act, shall be appointed by the president of the United States, by and with the advice and consent of the senate, shall, respectively, exercise the same powers, perform the same duties, and receive for their services the same compensations, as, by the ordinance aforesaid, and the laws of the United States, have been provided and established for similar officers in the territory of the United States north-west of the river Ohio: And the duties and emoluments of superintendent of Indian affairs shall be united with those of governor; Provided, That the president of the United States shall have full power, in the recess of congress, to appoint and commission all officers herein authorized; and their commission shall continue in force until the end of the next session of congress.

Sec. 4. And be it further enacted, That so much of the ordinance for the government of the territory of the United States north-west of the Ohio river, as relates to the organization of a general assembly

therein, and prescribes the powers thereof, shall be in force and operate in the Indiana territory, whenever satisfactory evidence shall be given to the governor thereof, that such is the wish of a majority of the freeholders, notwithstanding there may not be therein five thousand free male inhabitants of the age of twenty-one years and upwards: Provided, That until there shall be five thousand free male inhabitants of twenty-one years and upwards, in said territory, the whole number of representatives to the general assembly shall not be less than seven, nor more than nine, to be apportioned by the governor to the several counties in said territory, agreeably to the number of free males, of the age of twenty-one years and upwards, which they may respectively contain.

Sec. 5. And be it further enacted, That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the territory of the United States north-west of the Ohio river, further than to prohibit the exercise thereof within the Indiana territory, from and after the aforesaid fourth day of July next: Provided, That whenever that part of the territory of the United States which lies to the eastward of a line beginning at the mouth of the Great Miami river, and running thence, due north, to the territorial line between the United States and Canada, shall be erected into an independent state, and admitted into the union on an equal footing with the original states, thenceforth said line shall become and remain permanently the boundary line between such state and the Indiana territory; any thing in this act contained to the contrary notwithstanding.

Sec. 6. And be it further enacted, That, until it shall be otherwise ordered by the legislature of the said territories, respectively, Chillicothe, on Scioto river, shall be the seat of the government of the territory of the United States north-west of the Ohio river; and that Saint Vincennes, on the Wabash river, shall be the seat of the government for the Indiana territory.

Bulletin Number 6.

An Act for Dividing the Indiana Territory Into Two Separate Governments.

(Approved February 3, 1809.)

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in congress assembled, That, from and after the first day of March next, all that part of the Indiana territory which lies west of the Wabash river, and a direct line drawn from the said Wabash river and Post Vincennes, due north, to the territorial line between the United States and Canada, shall, for the purpose, of temporary government, constitute a separate territory, and be called Illinois.

Sec. 2. And be it further enacted, That there shall be established within the said territory a government in all respects similar to that provided by the ordinance of congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, for the government of the territory of the United States north-west of the river Ohio, and by an act passed on the seventh day of August, one thousand seven hundred and eighty-nine, entitled "An act to provide for the government of the territory north-west of the river Ohio;" and the inhabitants thereof shall be entitled to and enjoy all and singular the rights, privileges, and advantages, granted and secured to the people of the territory of the United States north-west of the river Ohio, by the said ordinance.

Sec. 3. And be it further enacted, That the officers for the said territory who, by virtue of this act, shall be appointed by the president of the United States, by and with the advice and consent of the senate, shall, respectively, exercise the same powers, perform the same duties, and receive for their services the same compensations, as, by the ordinance aforesaid, and the laws of the United States, have been provided and established for similar officers in the Indiana territory. And the duties and emoluments of superintendent of Indiana affairs shall be united with those of governor: Provided, That the president of the United States shall have full power, in the recess of congress, to appoint and commission all officers herein authorized, and their commission shall continue in force until the end of the next session of congress.

Sec. 4. And be it further enacted, That so much of the ordinance

for the government of the territory of the United States north-west of the river Ohio, as relates to the organization of a general assembly therein, and prescribes the powers thereof, shall be in force and operate in the Illinois territory, whenever satisfactory evidence shall be given to the governor thereof that such is the wish of a majority of the freeholders, notwithstanding there may not be therein five thousand free male inhabitants of the age of twenty-one years and upwards: Provided, That until there shall be five thousand free male inhabitants of twenty-one years and upwards in said territory, the whole number of representatives to the general assembly shall not be less than seven, nor more than nine, to be apportioned by the governor to the several counties in the said territory, agreeably to the number of free males of the age of twenty-one years and upwards, which they may respectively contain.

Sec. 5. And be it further enacted, That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the Indiana territory, further than to prohibit the exercise thereof within the Illinois territory, from and after the aforesaid first day of March next.

Sec. 6. And be it further enacted, That all suits, process, and proceedings, which, on the first day of March next, shall be pending in court of any county which shall be included within the said territory of Illinois, and also all suits, process, and proceedings, which, on the said first day of March next, shall be pending in the general court of the Indiana territory, in consequence of any writ of removal, or order for trial at bar, and which had been removed from any of the counties included within the limits of the territory of Illinois aforesaid, shall, in all things concerning the same, be proceeded on, and judgments and decrees rendered thereon, in the same manner as if the said Indiana territory had remained undivided.

Sec. 7. And be it further enacted, That nothing in this act contained shall be so construed as to prevent the collection of taxes which may, on the first day of March next, be due to the Indiana territory on lands lying in the said territory of Illinois.

Sec. 8. And be it further enacted, That, until it shall be otherwise ordered by the legislature of the said Illinois territory, Kaskaskia, on the Mississippi river, shall be the seat of government for the said Illinois territory.

Bulletin Number 7.

An Act to Enable the People of the Indiana Territory to Form a Constitution and State Government, and for the Admission of Such State Into the Union On An Equal Footing With the Original States.

(Approved April 19, 1816.)

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of the territory of Indiana be, and they are hereby authorized, to form for themselves a constitution and state government, and to assume such name as they shall deem proper; and the said state, when formed, shall be admitted into the Union upon the same footing as the original states, in all respects whatever.

Sec. 2. And be it further enacted, That the said state shall consist of all the territory included within the following boundaries, to-wit: Bounded on the east by the meridian line which forms the western boundary of the state of Ohio; on the south, by the river Ohio, from the mouth of the Great Miami river, to the mouth of the river Wabash; on the west, by a line drawn along the middle of the Wabash, from its mouth to a point where a due north line drawn from the town of Vincennes would last touch the north-western shore of the said river; and from thence by a due north line, until the same shall intersect an east and west line drawn through a point ten miles north of the southern extreme of lake Michigan; on the north, by the said east and west line, until the same shall intersect the first mentioned meridian line, which forms the western boundary of the state of Ohio; Provided, that the convention hereinafter provided for, when formed, shall ratify the boundaries aforesaid; otherwise they shall be and remain as now prescribed by the ordinance for the government of the territory north-west of the river Ohio: Provided also, That the said state shall have concurrent jurisdiction on the river Wabash, with the state to be formed west thereof, so far as the said river shall form a common boundary to both.

Sec. 3. And be it further enacted, That all male citizens of the United States, who shall have arrived at the age of twenty-one years, and resided within the said territory at least one year previous to the day of election, and shall have paid a county or territorial tax; and all persons having in other respects the legal qualifications to vote

for representatives in the general assembly of the said territory, be and they are hereby authorized to choose representatives to form a convention, who shall be apportioned amongst the several counties within the said territory, according to the apportionment made by the legislature thereof, at their last session, to-wit: From the county of Franklin, five representatives; from the county of Dearborn, three representatives; from the county of Switzerland, one representative; from the county of Jefferson, three representatives; from the county of Clark, five representatives; from the county of Washington, five representatives; from the county of Knox, five representatives; from the county of Gibson, four representatives; from the county of Posey, one representative; from the county of Warrick, one representative; and from the county of Perry, one representative. And the election for the representatives aforesaid, shall be holden on the second Monday of May, one thousand eight hundred and sixteen, throughout the several counties in the said territory; and shall be conducted in the same manner, and under the same penalties, as prescribed by the laws of said territory, regulating elections therein for members of the house of representatives.

Sec. 4. And be it further enacted, That the members of the convention, thus duly elected, be, and they are hereby authorized, to meet at the seat of the government of the said territory on the second Monday of June next; which convention, when met, shall first determine, by a majority of the whole number elected, whether it be, or be not expedient at that time, to form a constitution and state government for the people within the said territory; and if it be determined to be expedient, the convention shall be, and hereby are, authorized to form a constitution and state government; or if it be deemed more expedient, the said government shall provide by ordinance for electing representatives to form a constitution or frame of government, which said representatives shall be chosen in such manner, and in such proportion, and shall meet at such time and place, as shall be prescribed by the said ordinance; and shall then form for the people of said territory, a constitution and state government: Provided, That the same, whenever formed, shall be republican, and not repugnant to those articles of the ordinance of the thirteenth of July, one thousand seven hundred and eighty-seven, which are declared to be irrevocable between the original states and the people and states of the territory north-west of the river Ohio; excepting so much of said articles as relate to the boundaries of the states therein to be formed.

Sec. 5. And be it further enacted, That until the next general census be taken, the said state shall be entitled to one representative in the House of Representatives of the United States.

Sec. 6. And be it further enacted, That the following proposi-

tions be, and the same are hereby offered to the convention of the said territory of Indiana, when formed, for their free acceptance or rejection, which, if accepted by the convention, shall be obligatory upon the United States.

First. That the section numbered sixteen in every township, and when such section has been sold, granted or disposed of, other lands, equivalent thereto, and most contiguous to the same, shall be granted to the inhabitants of such township for the use of schools.

Second. That all salt springs within the said territory, and the land reserved for the use of the same, together with such other lands as may, by the president of the United States, be deemed necessary and proper for working the said salt springs, not exceeding in the whole, the quantity contained in thirty-six entire sections, shall be granted to the said state, for the use of the people of the said state, the same to be used under such terms, conditions, and regulations as the legislature of the said state shall direct; provided the said legislature shall never sell nor lease the same, for a longer period than ten years at any one time.

Third. That five per cent. of the net proceeds of the lands lying within the said territory, and which shall be sold by congress from and after the first day of December next, after deducting all expenses incident to the same, shall be reserved for making public roads and canals, of which three-fifths shall be applied to those objects within the said state, under the direction of the legislature thereof, and two-fifths to the making of a road or roads leading to the said state under the direction of congress.

Fourth. That one entire township, which shall be designated by the president of the United States, in addition to the one heretofore reserved for that purpose, shall be reserved for the use of a seminary of learning, and vested in the lesislature of the said state, to be appropriated solely to the use of such seminary by the said legislature.

Fifth. That four sections of land be, and the same are hereby granted to the said state, for the purpose of fixing their seat of government thereon, which four sections shall, under the direction of the legislature of said state, be located at any time in such township and range, as the legislature aforesaid may select, on such lands as may hereafter be acquired by the United States, from the Indian tribes within the said territory: Provided, That such locations shall be made prior to the public sale of the lands of the United States, surrounding such location: And provided always, That the five foregoing propositions, herein offered, are, on the conditions that the convention of the said state shall provide by an ordinance irrevocable, without the consent of the United States that every and each tract of land sold by the United States, from and after the first day of December next, shall be and remain exempt from any tax, laid by order or under any authority of the state, whether for state, county, or township, or any other purpose whatever, for the term of five years, from and after the day of sale.

Bulletin Number 8.

Ordinance.

Be It Ordained by the representatives of the people of the territory of Indiana, in convention met at Corydon, on Monday, the tenth day of June, in the year of our Lord eighteen hundred and sixteen, That we do, for ourselves and our posterity agree, determine, declare, and ordain, that we will and do hereby accept the propositions of the congress of the United States, as made and contained in their act of the ninteenth day of April, eighteen hundred and sixteen, entitled "An act to enable the people of the Indiana territory to form a state government and constitution, and for the admission of such state into the Union, on an equal footing with the original states."

And we do, further for ourselves and our posterity, hereby ratify, confirm, and establish, the boundaries of the said state of Indiana, as fixed, prescribed, laid down, and established, in the act of congress aforesaid: And we do also, further for ourselves and our posterity, hereby agree, determine, declare, and ordain, that each and every tract of land sold by the United States, lying within the said state, and which shall be sold from and after the first day of December next, shall be and remain exempt from any tax laid by order or under any authority of the said state of Indiana, or by or under the authority of the general assembly thereof, whether for state, county, or township, or any other purpose whatever, for the term of five years from and after the day of sale of any such tract of land: And we do, moreover, for ourselves and our posterity, hereby declare and ordain, that this ordinance, and every part thereof, shall forever be and remain irrevocable and inviolate, without the consent of the United States, in congress assembled, first had and obtained for the alteration thereof, or any part thereof.

JONATHAN JENNINGS,
President of the Convention.

Attest:
WILLIAM HENDRICKS,
Secretary.

June 29, 1816.

Bulletin Number 9.

Our State Name

"The Winds of Heaven never fanned,
The circling sunshine never spanned,
The borders of a better land
Than our own Indiana."

Mrs. Sarah K. Bolton.

Perhaps few Hoosiers know that their state name was first applied to what is now West Virginia, or to be more exact, an area lying within that state about equal to the present state of Connecticut.

In fact, after a company known as the Indiana Land Company lost its title to this land through action taken by the state of Virginia and the Eleventh Amendment to the Constitution of the United States, the name of Indiana went begging, as it were, for about two years from 1798 to 1800, and even then we were not the exclusive owners of it, but shared it in common with Michigan, Wisconsin, and Illinois. The name of which we are so justly proud, says Cyrus Hodgin, formerly a professor of history in the Indiana State Normal School, is really a second hand one having been borne by an eastern state for a period of about thirty years, 1768 to 1798.

The story of the name is about as follows. Our histories tell us much about the powerful Iroquois at whose very name, the Algonquins, who occupied the territory farther to the south and west, fairly trembled. These Iroquois, sometimes called the six nations, practically controlled the fur trading business of the tribes around the Great Lakes. These five or six tribes, by forming a confederacy, abolished destructive competition among themselves. They were the most clever and progressive among the Indian tribes and seemed to understand even at that early day the advantages of some such organization as a trust. They conquered many other tribes which they considered as tributaries and whose lands they claimed. Fur trading was in those days a very lucrative business. About the close of the French and Indian war, in 1763, a company known as the Philadelphia Trading Company had been organized to trade with the Indians. They invested extensively in European goods which were exchanged with the Indians for valuable furs.

The Shawnees in league with some other tributary tribes of the Iroquois conspired to rob and plunder this company, which they did

successfully. Of course they appropriated the goods thus obtained to their own use. The Philadelphia Company presented its claim to the chiefs of the Iroquois who felt themselves in a large degree responsible for the conduct of their subjects. These chiefs admitted the justice of the claim, but were utterly unable to cancel a claim which amounted to thousands of dollars. While "short" on money, however, they were "long" on land, so they deeded the part of West Virginia, previously spoken of, to the company. This region had to have a name. Names had been coined for other regions, for example, Virginia, land of the Virgian Queen, and Pennsylvania, Penn's Woods; what more natural since this land was obtained from the Indians to add an "a" and make the euphonious name which our state bears.

In the memorable year of 1776 this land was transferred to a company known as the Indiana Land Company, but Virginia claimed this land as her own through her original charter. Then began years of contest, the company demanding payment for this land and the state of Virginia not only claiming jurisdiction over this land, but forbidding the company to sell it.

At the beginning of the contest the company petitioned congress, but because our goverment was operating under the Articles of Confederation, congress had no power to force a state to do anything. Later, however, after our present constitution was in force the company again entered suit in the Supreme Court of the United States, but Virginia stood on her dignity as a sovereign state and refused to obey the summons. Meantime she concentrated all her efforts to secure the Eleventh Amendment to the Constitution of the United States. In this she was successful, for this amendment was ratified by the required three fourths of the states in 1798. The territory involved now being a part of Virginia, had, of course, no use for the name Indiana.

In 1800, however, when congress divided the north-west territory, the beautiful name of which we are so proud was given to the western part, and we now are the possessors not only of the name, but of a region of unsurpassed fertility and beauty.

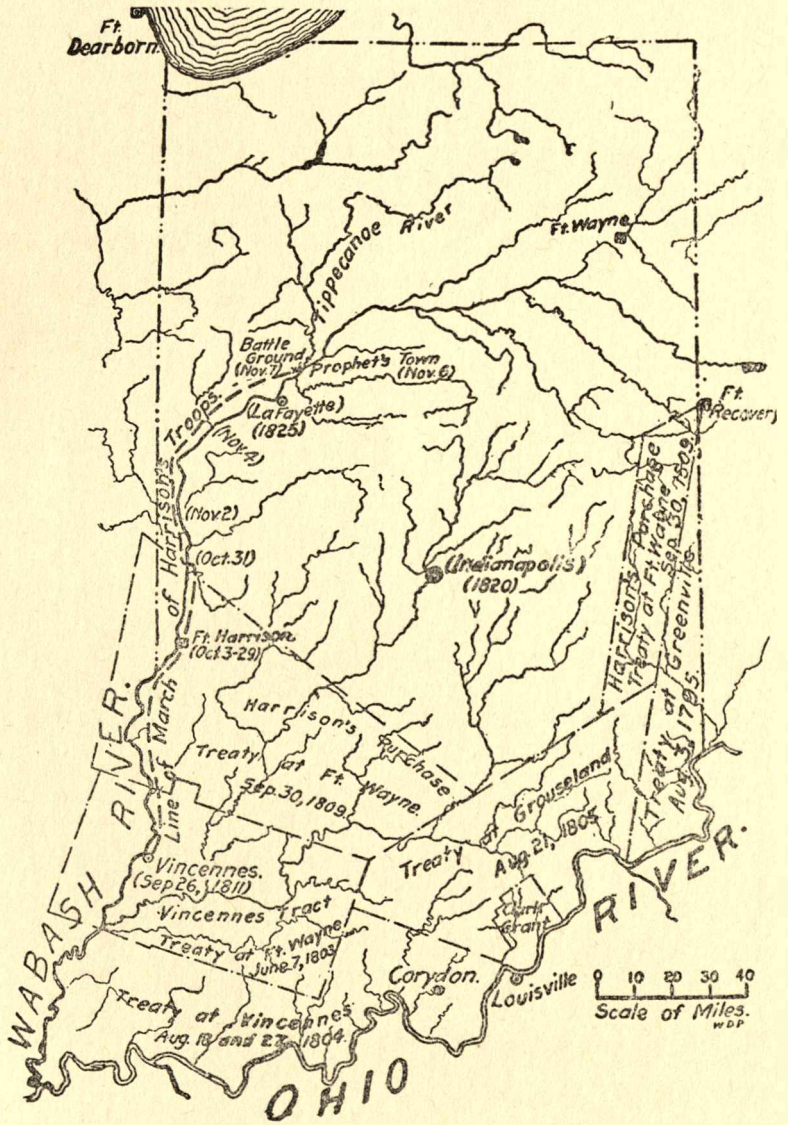
In the words of the song entitled Indiana, by Mrs. C. W. Charlan:

"O'er thy head, the lake breeze blows,
At thy feet, the river flows
Lauding thee, Indiana,
Flowing stream and forest bold,
Rocks, their hoary heads uphold,
Valleys, rich their grain enfold,
Treasures in thy hills untold,
O! Indiana! O! Indiana!
We sing to thee alone."

HELEN E. TYLER,
Principal of Crawford School.

Terre Haute, Indiana, June 15, 1917.

INDIANA - - 1811



After Virginia gave the territory to the United States, congress acquired title to the lands from the Indians themselves. The map shows treaty dates and boundaries.